



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

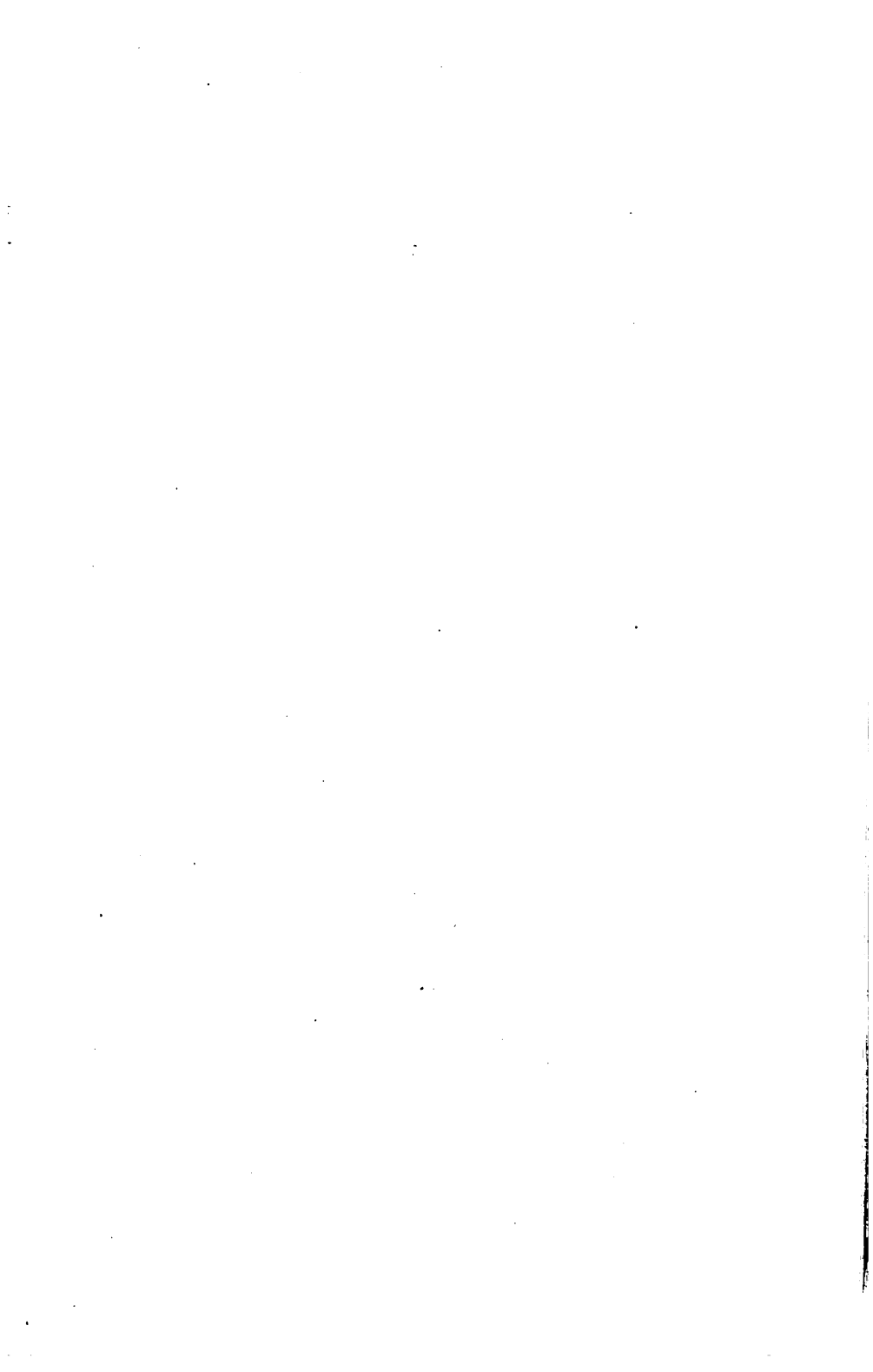
Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

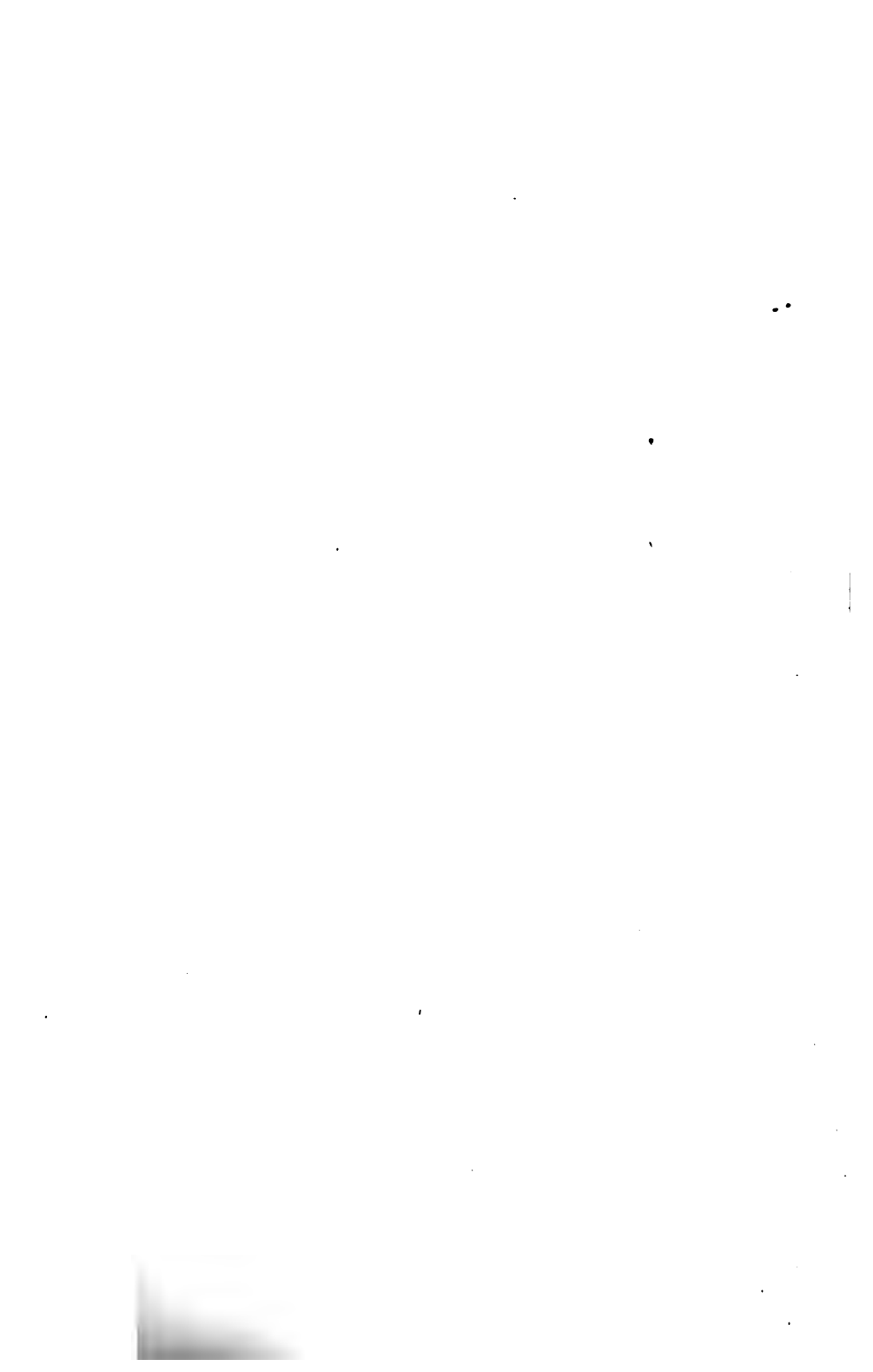


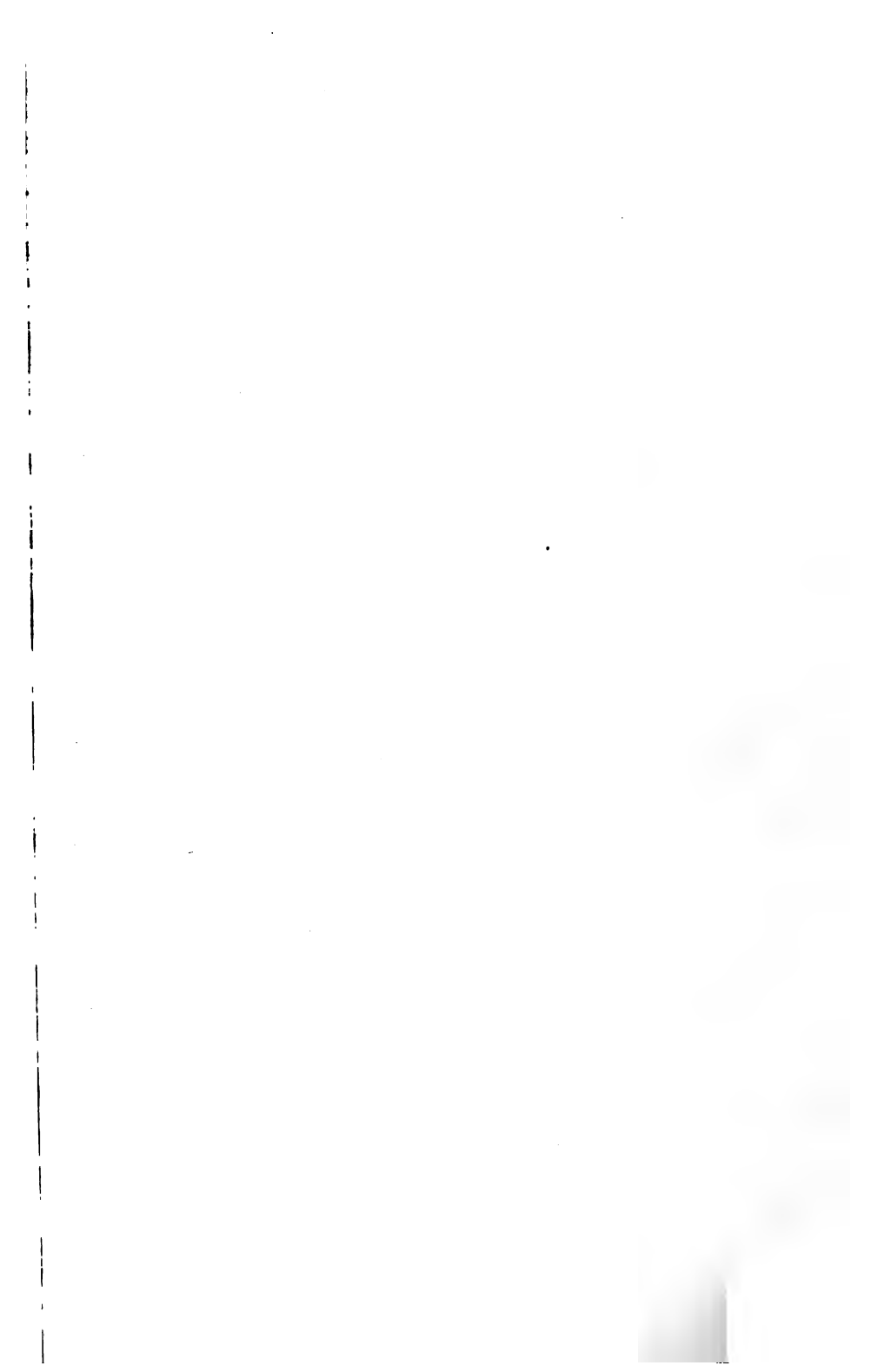
**A. CHAUNCEY NEWLIN COLLECTION
OF
OCEANS LAW AND POLICY**

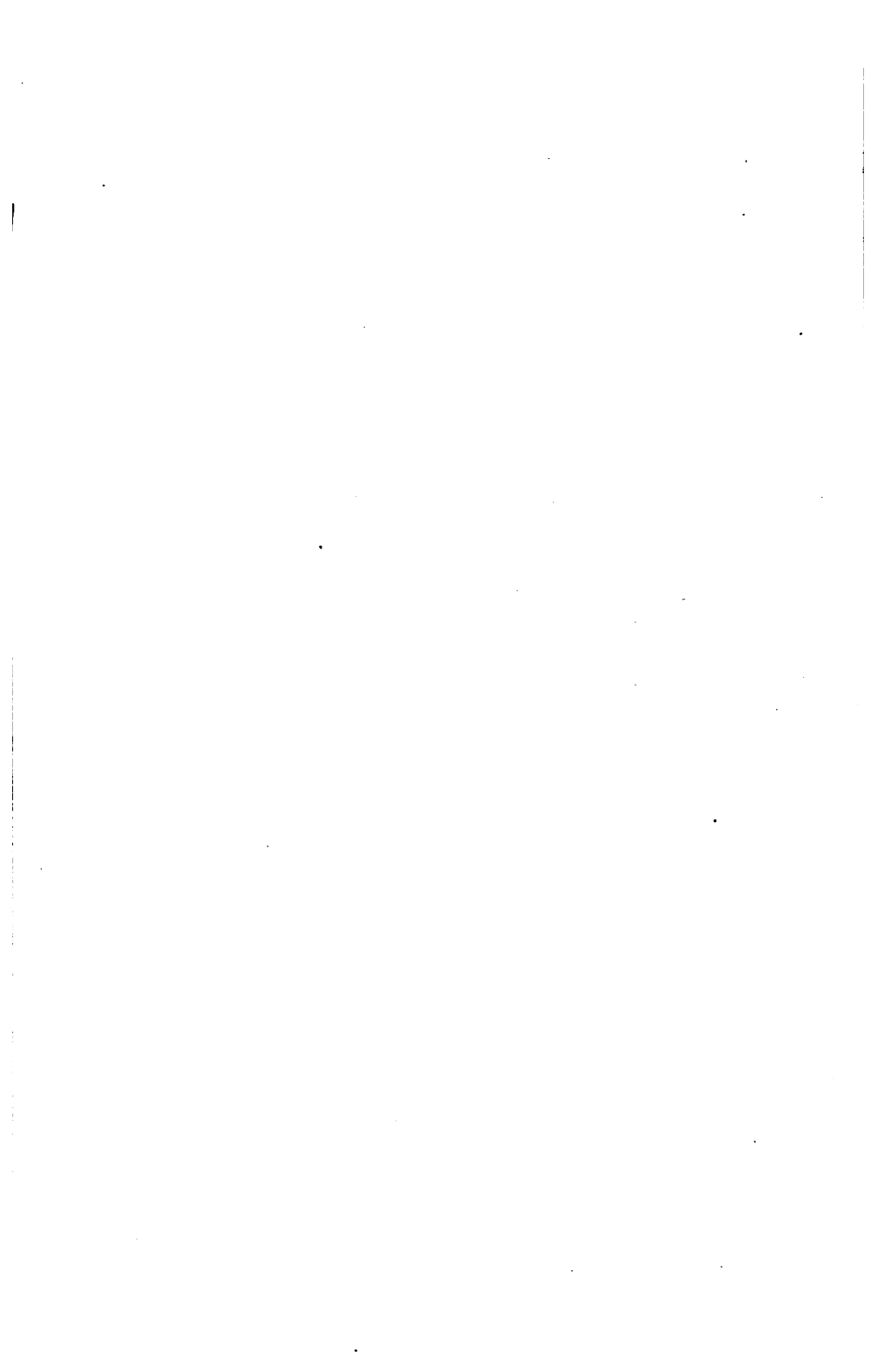


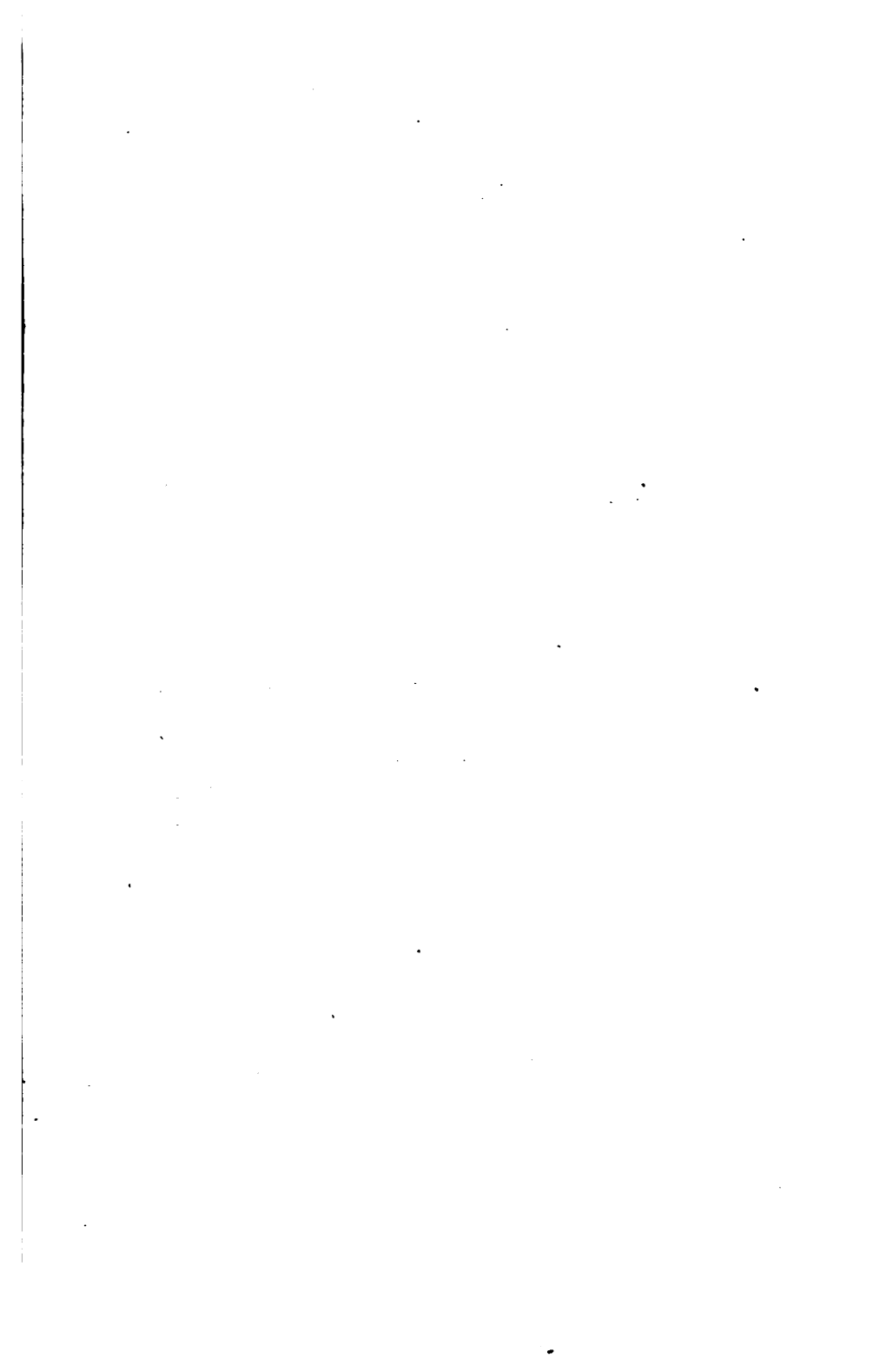
**LAW LIBRARY
OF THE
UNIVERSITY OF VIRGINIA**









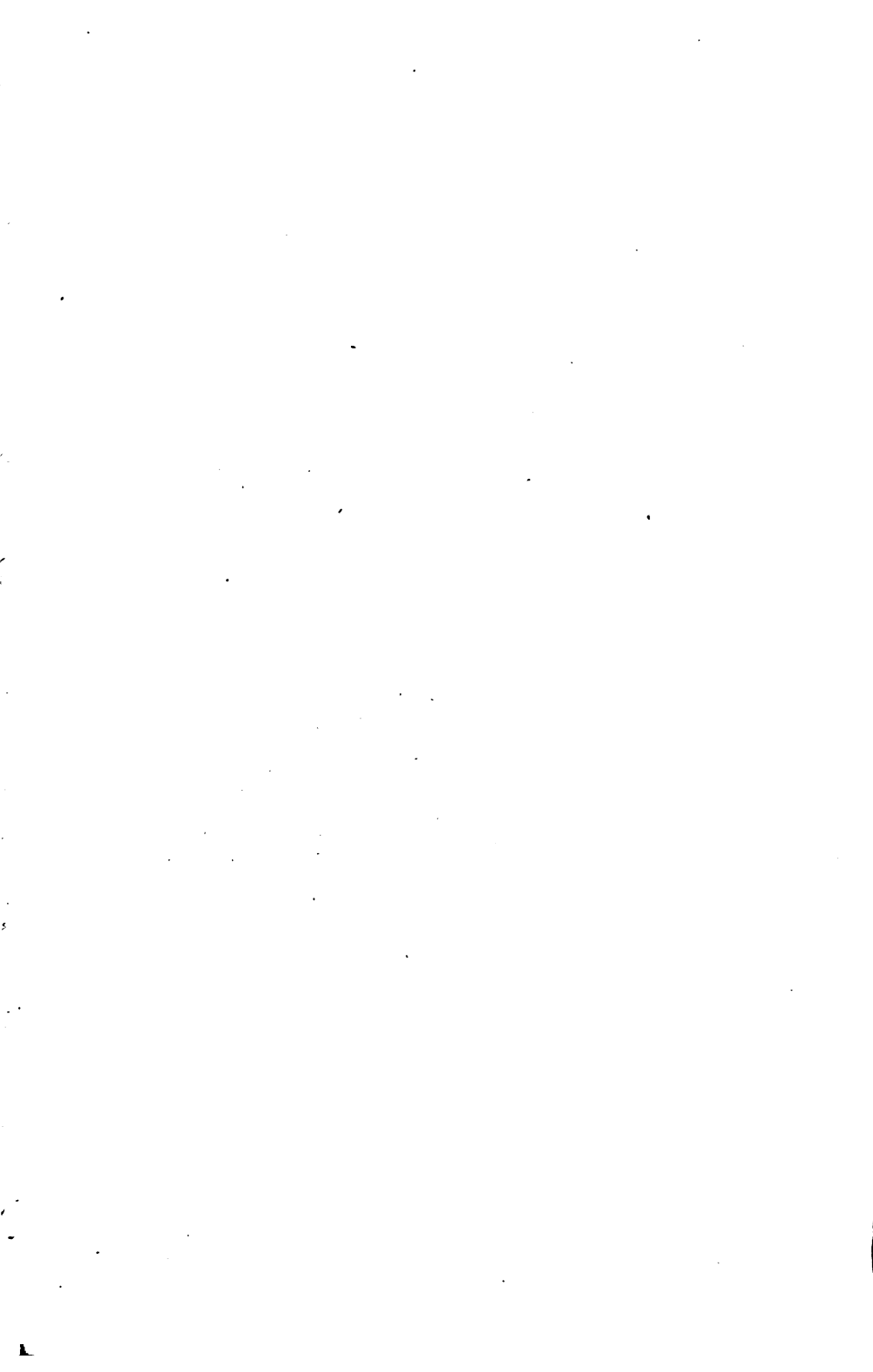


Appendix C.

See Paragraph 18.

*Drawing of the Ensign or Color to be
worn on board all British Merchantships.*





Appendix C.

See Paragraph 18.

*Drawing of the Flag to be hoisted
by all British Vessels for a Pilot.*



*$\frac{1}{3}$; A British Union Jack with a border of
White of one fifth of the breadth of the Jack.*

NOTE.—This Edition supersedes all previous Instructions to Consuls (except those relating to Naval Courts) issued by the Board of Trade.

INSTRUCTIONS

TO

CONSULS

RELATING TO

MATTERS AFFECTING THE BRITISH MERCANTILE
MARINE,

UNDER

“THE MERCHANT SHIPPING ACTS,”

(REVISED TO APRIL 1888.)

PREPARED BY THE BOARD OF TRADE,

AND

APPROVED BY H.M. SECRETARY OF STATE FOR FOREIGN AFFAIRS.

70252



LONDON:
PRINTED BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1888.

GIFT

7
26

APR 22 '46

JUV

OCEANS
70
GB
,G7868;
1858

INSTRUCTIONS TO CONSULS.

TABLE OF CONTENTS.

Paragraph.	SUBJECT.	Page.
	PRELIMINARY.	
1	Preliminary - - - - -	1
2	Explanation of Instructions - - - - -	1
	BRITISH SHIPS.	
	<i>Ownership.</i>	
3	British Ownership sole qualification. Definition of British Ownership - - - - -	2
4	Declarations of Ownership - - - - -	2
	<i>Registry, and Certificates of Registry.</i>	
5	System of Registry - - - - -	3
6	Particulars required before Registry - - - - -	3
7	Inaccurate marking of ships - - - - -	5
8	Certificate of Registry - - - - -	5
9	Numbers of Certificates of Registry - - - - -	5
10	Character and purpose of Certificate of Registry - - - - -	5
11	Duty of Consul with respect to the certificate on change of Master - - - - -	6
12	In case of loss, destruction, or transfer to foreigner - - - - -	6
13	Provisional certificate to abandoned ships. No statu- tory power to order a survey - - - - -	7
14	In cases where the certificate is improperly used - - - - -	7
15	Foreign ports of Registry - - - - -	7
16	General Register - - - - -	7
	<i>Certificates of British Ownership and Passes for Unregistered Vessels.</i>	
17	Provisional Passes from one part of Her Majesty's dominions to another - - - - -	8
	<i>Flags to be carried by British Ships.</i>	
18	Flags to be carried by British ships - - - - -	8
19	Steps to be taken when illegal flags are carried - - - - -	8
	<i>Simulation or Concealment of National Character.</i>	
20	Penalties for false assumption or concealment of National character - - - - -	9
21	British Owners, not registering, to have the liabili- ties, but not the benefits of British law - - - - -	10
22	Rule of international law - - - - -	10

Paragraph.	SUBJECT.	Page.
	<i>Purchases, Mortgages, and Sales at Foreign Ports, and Provisional Certificates of Registry.</i>	
23	Purchase of ships by British Owners at a Foreign Port, and grant of a provisional Certificate by Consul - - -	11
24	Mortgages and Sales of ships in foreign Ports - - -	12
25	Certificates of Sale and Mortgage - - -	12
26	Duty of Consul in respect of Mortgage made under certificate - - -	12
27	Transfer of Mortgage made under certificate - - -	13
28	Discharge of Mortgage made under a certificate - - -	13
29	Certificate of Mortgage to be re-delivered to Registrar - - -	14
30	Duty of Consul in respect of Certificates of Sale - - -	14
31	Revocation of Certificates of Sale and Mortgage - - -	14
32	Instruments should be in Forms given in Schedule to Act - - -	15
33	Book to be kept for above particulars - - -	15
	MASTERS AND SEAMEN.	
	<i>General.</i>	
34	General duties as regards the crews of British ships - - -	15
	<i>General Cognizance by Consul of Masters and Crews, and steps to be taken on their arrival.</i>	
35	Cognizance of masters and crews - - -	16
36	Documents to be delivered to Consul - - -	16
37	Consul to be careful in making indorsements - - -	16
37a	Ships whose business for the time being is to carry passengers - - -	16
38	Complaints to Consul - - -	17
39	Power of seamen to complain of provisions and water - - -	17
40	Powers of inquiry - - -	17
41	Notice of epidemic diseases, disturbances, &c. - - -	18
42	Notice of local regulations - - -	18
43	Register book of ships coming to the port - - -	18
44	Importance of furnishing particulars in Form C. 19a - - -	18
	<i>Colonial Certificates of Competency.</i>	
45	Names of colonies by which granted, and particulars of Certificates - - -	18
46	Detention of Certificates in certain cases - - -	20
47	Naval courts - - -	20
48	Cancellation, &c. of Certificates - - -	20
49	Instructions refer only to certificates granted under Order in Council - - -	21
	ENGAGEMENT AND DISCHARGE OF SEAMEN.	
	<i>General.</i>	
50	Agreements with seamen - - -	21
51	False statements by seamen of name, &c. - - -	21
52	Alterations in Agreements - - -	22

Paragraph.	SUBJECT.	Page.
53	Engagement of Foreign Seamen on board British Ships - - - - -	23
54	Agreements within Home Trade limits to be on form for foreign articles - - - - -	22
55	Agreements cannot be extended - - - - -	22
	<i>Agreements opened at the Port.</i>	
56	Same rules in Foreign Port as in United Kingdom -	22
57	Rules in United Kingdom - - - - -	22
58	Particulars to be inserted in Agreement - - - -	23
59	Alternative entry as to voyage - - - - -	23
60	Form of Agreement - - - - -	23
61	Master and Officers - - - - -	23
62	Colonial Certificates of Competency - - - - -	24
63	Attendance of Apprentices - - - - -	24
64	Stipulations in Agreement - - - - -	24
65	Difficulties arising from vaguely worded Agreements -	24
66	Stipulations in Agreements that crew be discharged abroad - - - - -	25
66a	"Continent of Europe" - - - - -	25
66b	An instance of the result of a vaguely worded Agreement - - - - -	25
67	Payment of wages in ports abroad. Rate of exchange. Advances made during the voyage -	26
68	Settlement of Agreement - - - - -	27
69	Signing Agreement - - - - -	27
70	Advance of wages - - - - -	28
71	Allotment of wages - - - - -	28
72	Alterations in Agreements are void unless attested to have been made with the consent of all parties -	28
78	Official log book - - - - -	28
74	Forms to be supplied gratuitously - - - - -	28
	<i>Seamen discharged or left abroad.</i>	
75	Leaving seamen abroad - - - - -	28
76	Discharges under Sec. 205. Seamen's right to passage home - - - - -	28
77	Masters to be warned - - - - -	29
78	Payments to seamen to be discouraged - - - -	29
79	Deposits under Sec. 205 - - - - -	29
80	Forcing men ashore, &c. - - - - -	30
81	In all cases of discharge application to be made to Consul - - - - -	30
82	Consent of seamen necessary - - - - -	30
83	When applied for on the ground of ill-treatment -	30
84	When applied for on the ground of inability -	30
85	Medical Certificate to be required in certain cases -	30
86	Discharges at Ports where few ships clear for the United Kingdom - - - - -	30
87	Consular Certificate to be endorsed on Agreement -	31
88	To be written, and to describe grounds of discharge -	31
89	Penalties accruing in default of sanction - - -	31
90	Certificate of discharge to be given, and where applicable, certificate of competency or service to be returned - - - - -	31
91	Certificates of discharge and character - - - -	31

Paragraph.	SUBJECT.	Page.
92	Steps to be taken - - - - -	31
93	Counterfoil to be filled up - - - - -	32
94	Seamen discharged abroad from scurvy, &c. - - - - -	32
95	Injury in service of men shipped in a British Pos- session abroad - - - - -	32
96	Principles on which amount of wages is to be deter- mined - - - - -	32
97	Balance of wages when paid to seamen - - - - -	33
97a	Period within which wages are to be paid - - - - -	33
98	Money orders - - - - -	33
99	Wages when discharged by a Court - - - - -	34
100	If the man is to be left on the Consul's hands an account of his wages must be given - - - - -	34
101	Deductions from seamen's wages - - - - -	34
101a	Wages of seamen left in prison - - - - -	34
102	Balance to be paid to Consul - - - - -	35
103	Money received as wages, &c. how to be accounted for and paid - - - - -	35
104	If sent to another port - - - - -	35
105	If sent home under order, Form C. 16, or when wages are paid by bill - - - - -	36
106	In case of death - - - - -	36
	<i>Agreements terminated.</i>	
107	Agreements, &c. to be at once sent home - - - - -	36
108	Receipt to be given to Master - - - - -	37
109	Particulars in C. 19A, when ship's papers are forwarded to the Registrar General of Seamen - - - - -	37
	<i>Engagement and Discharge of Seamen on board the Steam Ships of the Pacific Steam Navigation Company, exclusively employed in the Coasting Trade on the West Coast of South America.</i>	
110	Special instructions issued by Board of Trade - - - - -	37
	<i>Crimps on board British vessels.</i>	
110a	Provisions against crimping to be enforced in certain foreign countries - - - - -	38
	RELIEF OF DISTRESSED SEAMEN.	
111	Person to be relieved - - - - -	39
112	Limit of time - - - - -	40
113	Stowaways - - - - -	40
114	Persons refusing employment - - - - -	41
115	Rate of relief - - - - -	41
116	Seamen sick on board - - - - -	41
117	Men injured in service of ship and men discharged and left behind illegally - - - - -	41
118	Definition of "hurt or injury in the service of the ship" - - - - -	41
119	Men shipwrecked - - - - -	42
120	Clothing may be supplied - - - - -	42
121	Bedding - - - - -	42
122	Medical assistance - - - - -	42
123	Hospitals - - - - -	43
124	Discharge to be notified to Hospital Authorities - - - - -	43
125	Extraordinary expense - - - - -	43
126	Men in charge more than one month - - - - -	43

Paragraph.	SUBJECT.	Page.
	<i>Rates to be paid, and Rewards given, for Rescue and Relief of Distressed British Seamen at Sea.</i>	
127	Conveyance of British seamen rescued at sea, and sums to be paid for conveyance and subsistence	43
128	Rewards for services rendered to British ships	43
129	Rewards to Foreigners for services to British ships or British subjects	44
	<i>Sending Seamen home.</i>	
130	Seamen not distressed	44
131	Seamen in distress to be sent home as soon as possible	44
132	Ships to be chosen for this purpose	44
133	Indorsement on Articles	44
134	Expense, how to be paid	44
135	Balances due to seamen	44
136	When paid by bill	45
137	Cause of distress, shipwreck	45
138	Exception	45
139	When wages are chargeable with all expenses	45
140	When wages are chargeable with only certain expenses	
141	If sent to a British Possession	45
142	Treatment of men on board	45
143	Steps to be taken in case of refusal to take men	46
144	Foreign ships may be used in cases of emergency	46
145	When injured in service, Owners liable to send men to certain ports only	46
146	If sent to another port seaman must bear the expense	47
147	Disposal of foreign seamen	47
148	Conveyance home of lunatic seamen	47
149	Lunatics sent to Consul's port	47
150	Fraudulent representation by Asiatics that they are distressed British Seamen	48
	<i>Relief of Distressed Lascar Seamen.</i>	
151	Lascar seamen	48
	<i>Relief of Distressed Seamen belonging to the Dominions of Canada.</i>	
152	Canadian Seamen	48
	<i>Relief, &c. of Masters.</i>	
153	Relief of masters	49
	HEALTH OF CREWS.	
154	Medicines, Medical Guide, &c.	49
155	Lime or Lemon juice. Fresh provisions	49
156	Cholera, clothes and bedding to be destroyed	50
156a	Disinfection of the effects of seamen dying of infectious diseases	51
156b	Danger to crews allowed to go ashore in infected ports	52
	BIRTHS AND DEATHS REGISTRATION ACT, 1874.	
157	Births and Deaths Registration Act, 1874.	52

Paragraph.	SUBJECT.	Page.
	DEATHS ON BOARD BRITISH SHIPS.	
158	Consul to inquire into cause of death - - -	53
	<i>Wages and Effects of Deceased Seamen.</i>	
159	Master to account for wages and effects of men dying during a voyage - - -	54
160	In certain cases of death at sea, the Consul is to demand and receive the wages, &c. Deaths of Lascars - - -	54
161	Expenses attendant on illness or death - - -	55
162	Advance, no charge on effects - - -	55
163	Consul to give receipt - - -	55
164	Effects—how to be dealt with - - -	56
165	Effects may be sold in certain circumstances - - -	56
166	Disinfection of effects - - -	56
167	Money and effects of seamen belonging to a British ship dying at the port - - -	56
168	Wages and effects of seamen dying within the Consulate - - -	56
169	Seamen's wills - - -	56
170	Estates and effects of Masters - - -	57
171	Effects of Foreign Seamen—French, German, Swedish and Norwegian, - - -	57
172	Danish, Italian and Russian - - -	57
	DISCIPLINE.	
173	General duties - - -	58
	<i>Desertion.</i>	
174	Recovery of deserters - - -	58
175	Further steps in case of desertion - - -	59
175a	Wages of deserters earned subsequently to desertion - - -	59
	<i>Misconduct of Masters of Colonial Vessels.</i>	
176	Application of M.S. Acts to Colonial Vessels - - -	59
177	Consul to report non-compliance with sections of the Act quoted - - -	60
	<i>Interference of Foreign Courts of Justice.</i>	
178	Interference of Foreign Courts - - -	60
179	Local police laws and regulations - - -	61
180	Offences punishable both by local and by British law - - -	61
181	Imprisonment in foreign ports - - -	61
182	Except as above mentioned, a British ship carries British law with her - - -	61
183	British seamen serving on board foreign ships - - -	62
	<i>Naval Courts.</i>	
184	Cases for and mode of summoning Naval Courts - - -	62
	<i>Crimes committed on the High Seas and Abroad.</i>	
185	Mode in which such offences may be tried if committed by persons belonging to a British ship - - -	63
186	Jurisdiction of Foreign Courts - - -	63

Paragraph.	SUBJECT.	Page.
187	Proceedings to be taken by Consul - - -	63
188	Offenders to be sent home in aggravated cases only -	64
189	Or where an undertaking is given for the expenses -	64
190	Witnesses must be sent - - - - -	64
191	To what place the offender is to be sent - - -	64
192	Offenders to be sent in vessels bound to the country where they are to be tried - - - - -	64
193	Conveyance Order to be delivered to Master, and his attention called to its substance - - - - -	65
194	In what ships they are to be sent - - - - -	65
195	Offenders and witnesses to be kept in the meantime. Rates allowed for their conveyance - - - - -	65
196	Deposition before Consul - - - - -	66
197	Deposition, how to be taken - - - - -	66
198	If made in foreign language - - - - -	66
199	Facilities for cross-examination, &c. to be given to accused parties - - - - -	66
200	Originals to be sent - - - - -	67
	WRECK AND SALVAGE.	
	<i>Wrecks and Casualties.</i>	
201	Notice of wrecks, losses, &c. - - - - -	67
202	Consuls to give assistance - - - - -	67
203	Interference authorized by treaty - - - - -	67
204	Consul not to interfere with Masters or Agents -	68
205	Assistance to persons on board wrecked vessel -	68
206	Salvage expenses - - - - -	68
207	Voluntary agreement for salvage - - - - -	68
208	Consul to claim and preserve goods - - - - -	68
209	Goods lost or damaged at sea - - - - -	69
210	Papers saved - - - - -	69
211	Communication to interested parties - - - - -	69
212	Sale of wrecked articles - - - - -	69
213	Admission of wrecked goods for consumption -	69
214	General average - - - - -	70
215	Fees and expenses - - - - -	70
216	Certificate of Registry - - - - -	70
217	Summoning a Naval Court - - - - -	70
218	Upon every wreck, &c., report to be made to Board of Trade - - - - -	70
	<i>Salvage by Her Majesty's Ships.</i>	
219	General object of the enactments - - - - -	70
220	Salvors to take ship to port where there is a Consul	71
221	Salvor and Master to furnish Consul with statement -	71
222	Consul to fix amount of bond - - - - -	72
223	Consul to cause bond to be prepared - - - - -	73
224	Additional security if ship is owned by Foreigners -	73
225	Consul to transmit statement, &c. to Court of Admiralty	73
	<i>Salvage of Life.</i>	
226	Salvage in respect of life - - - - -	74
	<i>Casualty Reports, Form Wr. 1.</i>	
227	Annual Parliamentary Return - - - - -	75
228	Return on Form Wr. 1. to be sent to Board of Trade	75

Paragraph.	SUBJECT.	Page.
229	Subdivision of Form - - - - -	75
230	The Return should be complete ; and - - - - -	76
231	Is a private document - - - - -	76
232	Allowance for Returns. Travelling expenses - - - - -	77
233	How to be charged - - - - -	77
234	How to be paid to Vice-Consuls - - - - -	77
235	Supply of above Forms - - - - -	77
	<i>Collisions.</i>	
236	Report to be made when assistance is not rendered by ships in collision - - - - -	77
	RESERVE FORCE OF ROYAL NAVAL VOLUNTEERS.	
237	Outline of the Reserve Scheme - - - - -	78
238	Government must know whereabouts of Volunteers - - - - -	79
239	How Naval Volunteers may be known. No. of Certificate to be noted in official documents - - - - -	79
240	If a Volunteer, engagement or discharge to be entered in R. V. 2 - - - - -	79
241	Entry against Seaman's name in agreement - - - - -	79
242	On discharge to receive usual certificate - - - - -	79
243	Leave of absence will be entered in Volunteer's certificate - - - - -	79
244	Consul to warn Volunteers of consequences of breaking conditions of Reserve - - - - -	80
245	Volunteer should, if possible, return to the United Kingdom within the time allowed - - - - -	80
246	Engagement leading to breach of conditions - - - - -	80
247	Certificates belonging to men who have died or deserted - - - - -	80
248	Returns to be made by Consul - - - - -	80
249	Consul to send Volunteer Certificates of men who have died or deserted - - - - -	80
	<i>Naval Volunteers called out for actual Service.</i>	
250	When called out, all Volunteers liable to serve - - - - -	81
251	Consuls to co-operate with Naval Officers. - - - - -	81
252	Defaulters to be reported - - - - -	81
	GRAIN CARGOES.	
253	Consul to send report of British Ships so loaded - - - - -	81
	FEES AND REMUNERATION.	
254	Tables of fees - - - - -	81
255	Consuls not to press certain offices on Ship Masters - - - - -	82
256	But to warn them of consequences of neglect - - - - -	82
257	Receipt for fees - - - - -	82
258	Charges that may be retained by Consuls for their own benefit - - - - -	82
259	No extra charge to be made in respect of matters incidental to official duties - - - - -	83
	ACCOUNTS.	
260	Accounts how to be kept - - - - -	83
261	To be transmitted quarterly - - - - -	83
262	Forms to be used in connexion with accounts - - - - -	83

Paragraph.	SUBJECT.	Page.
263	Vouchers to be translated - - - - -	84
264	And to be numbered - - - - -	84
265	Steps when vouchers cannot be procured - - - - -	84
266	Vice-Consul's receipts and disbursements - - - - -	84
267	Postage - - - - -	84
268	Bill to be drawn for Balance due to Consul - - - - -	84
269	Balance due from Consul to be remitted - - - - -	85
270	Where no expenses have been incurred - - - - -	85
	SEAMEN'S MONEY ORDERS (FOREIGN).	
271	Rules regarding the issue of Seamen's Foreign Money Orders, and names of Ports where system is in operation - - - - -	85
272	Money Orders issued in India - - - - -	87
273	Means for making Seamen acquainted with system - - - - -	87
274	System to be confined to use of Seamen only - - - - -	87
275	Advantages of system - - - - -	87
276	Course to be pursued if a Money Order is required - - - - -	87
277	Form of advice - - - - -	88
278	Orders must be drawn in sterling Money - - - - -	88
279	Transmission of Form of application and advice to Board of Trade - - - - -	88
280	Steps to be taken if Consul finds it necessary to cancel a Money Order - - - - -	88
281	Steps to be taken respectively when "Currency" or "Sterling" has been deposited - - - - -	88
282	Transmission to Board of Trade of sums received for Money Orders - - - - -	89
283	Transmission to Board of Trade of sums received for Money Orders at Ports in China and Japan - - - - -	89
284	Transmission of Money to the account of a Seaman at the Seamen's Saving Bank - - - - -	89
285	Ports in the United Kingdom and Channel Islands where Money Orders may be made payable - - - - -	90
	CORRESPONDENCE.	
286	Correspondence with Board of Trade - - - - -	91
	MISCELLANEOUS.	
287	Passenger ships - - - - -	92
288	Detention of ships by foreign authorities - - - - -	92
289	Power of Master to sell a ship - - - - -	92
290	Notices of lights and other matters affecting navigation to be sent to Admiralty - - - - -	92
291	Misconduct of Masters to be reported - - - - -	93
292	Piracies to be reported - - - - -	93
293	Numbers of ships and Certificates of Masters and Mates to be stated - - - - -	93
294	Unseaworthy ships - - - - -	93
	FORMS.	
295	Forms - - - - -	94

APPENDICES.

Letter.	TITLE OR DESCRIPTION.	Para- graphs in which referred to in Text.
A.	Regulations relating to grant of Certificates of Ownership for small Vessels trading on the West Coast of Africa and on Coast of Zanzibar	17
B.	Instructions to Her Majesty's Consul General at Constantinople relating to the issue of Certificates of Ownership	17
C.	Drawings of Ensign or Colour to be worn on board all British Merchant Ships, and of the Flag to be hoisted by all British Vessels for a Pilot	18
D.	Provisional Certificate of Registry	23
E.	Entry of Discharge of Mortgage on Certificate of Mortgage	28
F.	Register Book of British Ships entering Consuls' ports	43
G.	Sanction of engagement of seamen	50
H.	Attestation of alteration of agreement	52
I.	Certificate to be endorsed on agreement in case of discharge	87 & 102
J.	Copies of agreements between the British and Foreign Governments for the mutual relief of distressed seamen	111
K.	Form of affidavit to be made by a distressed seaman belonging to Canada, and who last served in a Canadian vessel	152
L.	Form of undertaking, to be signed by distressed Masters who have received Consular relief, to repay the expenses incurred	153
M.	Order of Local Government Board relating to Cholera	156
N.	Births and Deaths Registration Act, 1874	157
O.	Arrangements and declarations between Great Britain and France, Sweden, Germany, Denmark, Italy, and Russia respectively, relative to the disposal of the estates of deceased seamen	171 & 172
P.	Treaties, &c. between Great Britain and Foreign Powers for the mutual surrender of seamen, not being slaves, who desert from Merchant Ships	174
Q.	Certificate to be indorsed on agreement in cases of desertion	175
R.	Order in Council relating to Consular Fees	215, 254, 260
S.	Order in Council relating to Consular Fees for China and Japan.	215, 254, 260
T.	Form of security for salvage by persons residing in foreign ports	224
U.	Classification of Wrecks and Casualties for the purposes of the Wreck Register	229
W.	Vouchers C. 20, Annex A., and C. 20, Annex B.	264
X.	Description of forms directed in paragraph 262 to be used in connexion with accounts with the Board of Trade, with paragraphs in which they are referred to in the text	—
Y.	List and description of other printed forms quoted in the Instructions, with paragraphs in which they are referred to	—

INSTRUCTIONS TO CONSULS

RELATING TO

MATTERS AFFECTING THE BRITISH MERCANTILE MARINE.

PRELIMINARY.

1. The following Instructions relate to matters affecting the Preliminary. British Mercantile Marine.

In framing them, the substance of those parts of the Merchant Shipping Acts which specially relate to the Consuls' duties has been extracted, and special directions, where the case admits of them, are given as to the details of the business to be transacted by the Consul, and as to the mode in which the powers vested in him should be exercised. He will, however, remember that the Instructions do not dispense with the obligation under which he lies of making himself acquainted with the Acts themselves. The Acts do not contain the whole law, written and unwritten, relating to British merchant ships and merchant seamen, but represent the Statute Law upon these subjects. The Common Law, except where altered by Statute, remains still in force.

2. The paragraphs in these Instructions are numbered for facility of reference, and marginal notes are added with references to the Acts of Parliament, Orders in Council, &c. Explanation
of Instructions.

The Act referred to, if not otherwise specified, is the Act of 1854 (17 & 18 Vict. c. 104), and where the marginal references contain the number of the section only the reference is to that Act.

In the Appendix to the Instructions will be found various Forms to be used by the Consul. These forms, as well as those contained in the Schedule to the Act, and those mentioned in paragraphs 262 and 295, must be strictly adhered to when the occasions for using them arise.

The Consul will see that the word "Consular Officer" in the Act S. 2. includes Consul General, Consul, Vice-Consul, and any person for the time being performing the duties of any of those officers. The

word Consul is used in the same manner in these Instructions which must, so far as concerns the relative position and duties of the officers above mentioned, be construed according to the regulations concerning the relations between them for the time being in force. The Consul will also see that throughout the Instructions the word "Seaman" is intended to include every person employed to serve *in any capacity* on board ship, except Masters and Pilots.

BRITISH SHIPS.

Ownership.

British Owner-
ship sole
qualification.

3. The sole condition which is now required to entitle a ship to be a British ship is that she be owned by persons who owe allegiance to the British Crown, and are subject to British law. These persons are defined to be,—

Definition of
British Owner-
ship.
S. 18.

(a.) Natural-born subjects, who have not sworn allegiance to any Foreign State, or who, having done so, have subsequently sworn allegiance to Her Majesty.

(b.) Persons who have been made denizens or naturalized, and have subsequently sworn allegiance to Her Majesty.

(c.) Bodies corporate, subject to the laws of, and having their principal place of business in, some part of Her Majesty's dominions.

And with respect to natural-born subjects who have sworn allegiance to any Foreign State, and to persons who have been made denizens or naturalized, it is required, as a further condition, that they shall either be resident in the British dominions, or members of a British factory, or partners in a house actually carrying on business in the British dominions.

Declarations of
Ownership.
S. 38, 39, 40,
56, 58, 74.

4. For the purpose of ensuring compliance with the law, which defines the necessary conditions of British ownership, and also for the purpose of making correct entries in the Register Books of the particulars which constitute a title to shipping, certain declarations and certificates are required on the first registry of a ship, on transfers and transmissions of ships or shares in ships, and on transmission of interest in mortgages. Forms of these documents are contained in the Schedule to the Act, and are therein marked B., C., F., G., H., and L. They must, if made by persons resident in Her Majesty's dominions, be subscribed before the Registrar or some Justice of the Peace, as mentioned in the sections referred to in the margin; but where they are to

Forms B., C.,
F., G., H. & L.
in Schedule to
Act.

be made in Foreign countries they may be made before a Consul. S. 31.
 When application is made to the Consul for this purpose, he will see that the document is in the proper form, and contains all the particulars required in each case; he will point out to the parties the meaning of those statements which relate to their character as British subjects, and he will warn them that for any false statement on this point the declarant is guilty of a misdemeanor, and that the interest in respect of which the declaration is made is liable to forfeiture. He will himself witness and attest the document and affix his Consular seal. If he is aware that any statement in the document is false or erroneous, he will refuse to attest it unless corrected; and if he has reason to believe this to be the case, but has no means of satisfying himself on the point, he will, if the parties insist on signing the document, communicate his suspicions to the Board of Trade. S. 9, M. S. Act, Amendment Act, 1855. S. 103.

If in any case a declaration cannot be made in the form and with the particulars required, the Consul will annex to it and sign a memorandum of the variation and of the reasons for it. S. 97.

The Consul will note, that in certain cases of inability, referred to in the 99th section of the Act, certain persons are allowed to make declarations on behalf of the parties principally interested. S. 99.

Registry and Certificates of Registry.

5. For the purpose of ascertaining British ownership, and determining the right to use the British flag, as well as for other purposes Ship Registry is necessary. With the actual registering of Ships, however, except in the points referred to below, the Consul will have little to do: but his special attention is called to the means which the system of Registry affords of distinguishing and identifying a British Ship; and his attention is also called to the rule, that with the exceptions mentioned in paragraphs 2. and 3. of S. 19. of the Act, no ship is entitled to the privileges of a British Ship unless duly registered. System of Registry. S. 19.

Ships registered before the 1st May 1854 are not required by the Act to be registered anew, but every registration of a ship since that date, whether the ship has been previously registered under the old law or not, is subject to the new law.

6. The law requires the following particulars before registry: Particulars required by S. 3, M. S. Act, 1873.
 Her name must be marked on each of her bows, and her name and the name of her port of registry must be marked on her stern, on a dark ground in white or yellow letters, or on a light ground

in black letters, such letters to be of a length not less than four inches, and of proportionate breadth :

Her official number and the number denoting her registered tonnage must be cut in on her main beam :

A scale of feet denoting her draught of water must be marked on each side of her stem and of her stern post in Roman capital letters or in figures, not less than six inches in length, the lower line of such letters or figures to coincide with the draught line denoted thereby. Such letters or figures must be marked by being cut in and painted white or yellow on a dark ground, or in such other way as the Board of Trade may from time to time approve.

The Board of Trade may, however, exempt any class of ships from these requirements or any of them.

If the scale of feet showing the ship's draught of water is in any respect inaccurate, so as to be likely to mislead, the owner of the ship will incur a penalty not exceeding one hundred pounds.

These marks must not be concealed or obliterated except for the purpose of escaping capture by an enemy ; nor may they be altered except in the manner and subject to the conditions provided by the Merchant Shipping Acts.

Yachts and pilot vessels are, among others, exempted from the requirements of having the name marked on each of the bows and of having a scale of feet marked on the stem and stern post, but in these vessels the other requirements of the law are to be observed, viz., those that require the name and port of registry to be marked on the stern, and the official number and the number denoting the tonnage to be marked on the main beam, except in the case of yachts used for pleasure only, which, on special application in each case from the owner to the Board, may be exempted from the observance of the regulations requiring the name and port of registry to be marked on the stern upon proof to the Board's satisfaction that the owner is entitled to the privilege asked for.

Yachts of the following clubs have been exempted from the provisions as to having the name and port of registry marked on the stern, namely, Royal Yacht Squadron, Royal Cinque Ports Yacht Club, New Thames Yacht Club, Royal Albert Yacht Club, Royal Thames Yacht Club, Royal Alfred Yacht Club, Royal Ulster Yacht Club, Royal Welsh Yacht Club, Royal Victoria Yacht Club, Junior Thames Yacht Club, Royal Northern Yacht Club, Royal Western Yacht Club, Royal London Yacht Club, Prince of Wales Yacht Club, Royal Clyde Yacht Club, Royal Mersey Yacht Club, Royal Western Yacht Club of Ireland, Royal

Cornwall Yacht Club, Forth Yacht Club, Nova Scotia Yacht Squadron, Royal Channel Islands Yacht Club, Royal Cork Yacht Club, Royal Dart Yacht Club, Royal Eastern Yacht Club, Royal Harwich Yacht Club, Royal Irish Yacht Club, Royal Southampton Yacht Club, Royal Southern Yacht Club, Royal Yorkshire Yacht Club, Royal Portsmouth Corinthian Yacht Club, Corinthian Yacht Club, Royal Torquay Yacht Club.

Fishing vessels duly registered, lettered and numbered in pursuance of the Sea Fisheries Act, 1868, will not be required to have their names and ports of registry so marked.

Pilot vessels are similarly exempted.

7. The Consul should at once report to the Board of Trade any case in which there is reason to suppose that a British ship which has sailed from a port in the United Kingdom is insufficiently or inaccurately marked, with information as to the probable destination of the vessel, and her next probable arrival in the United Kingdom.

S. 3. M. S.
Act, 1873.
Inaccurate
marking of
ships.

8. Every British ship will, when registered, receive a Certificate of Registry in the form marked D. in the Schedule to the Act, which will contain,—

Certificate of
Registry.
S. 44.
Form D.
in Schedule to
Act.

(a.) The names of the ship and Port of Registry:

(b.) The name of the master, and the number of his Certificate of Competency or Service (if any):

(c.) Various details concerning her tonnage, build, and description, set forth in the Certificate of Survey by the Measuring Officer, which will be in the form marked A. in the Schedule to the Act:

Form A. in
Schedule to
Act.

(d.) Details concerning the origin and build of the ship:

(e.) The names and description of the owners, and the proportions in which they are interested.

9. Certificates of Registry will be numbered in one perpetual and consecutive series for all ships in the British Empire, and each number when once given and placed on the Certificate will remain without change as long as the ship is in existence and continues to be a British ship. The Consul will, in mentioning a ship in official letters and documents, always specify the name and port of registry, as well as the official number.

Numbers of
Certificates of
Registry.

10. It cannot be too strongly impressed upon the Consul that a Certificate of Registry is not, under the Acts, any evidence of title, and that although provision is made for having the names of the owners indorsed upon the Certificate whenever it is possible

Character and
purpose of
Certificate of
Registry.

to do so, yet it will very frequently happen that sales may have taken place, either at home or abroad, which cannot be indorsed upon the Certificate, and also that no mortgages will ever be officially indorsed upon it. Persons who wish to purchase or advance money on ships, must look for their title, not to the Certificate of Registry, but either to the Book of Registry which is kept at the Port of Registry, or to the Certificates of Sale and Mortgage herein-after mentioned.

S. 59.

The object of the Certificate of Registry is to show the national character of the ship, and it is only to be used for the lawful navigation of the ship. It must therefore always remain with the ship so long as she remains a British ship, and must have the name of the master for the time being written or indorsed upon it.

The Consul will have certain special duties connected with this document, which are as follows :—

Duty of Consul with respect to the Certificate on change of Master.
S. 46.

11. Whenever the Master of a British ship is changed at a Foreign port, it will be the Consul's duty to require the Certificate to be produced to him, to indorse upon it and sign a memorandum of the change, adding the number of the new Master's Certificate of Competency or service (if any). If, however, the change is made in consequence of the sentence of a Naval Court (*see* Instructions relating to Naval Courts), it will be the duty of the President of the Court to take these steps. In any case the Consul should report the change, on the first opportunity, to the Registrar-General of Shipping and Seamen, Custom House, London, E.C.

S. 4, M. S. A.,
1872.

In case of loss, destruction, or transfer to foreigner.
S. 53.

12. Whenever any ship is lost or abandoned, taken by the enemy, burnt or broken up, or is transferred to a person not qualified to own a British ship, or from any other reason ceases to be a British ship, notice is to be given as soon as possible to the Registrar of the Port of Registry; and the Certificate of Registry, unless lost or destroyed, is to be returned to him. For this purpose it will be the Consul's duty, whenever any such event takes place within his consulate, or whenever the master of any ship in respect of which any such event has happened arrives within his consulate, to demand from him the Certificate of Registry, and to forward it, with a statement of the circumstances under which he has obtained it, to the Registrar of the Port of Registry. As the Certificate of Registry is a document proving nationality, it is most important that this provision should be strictly observed, in order to prevent the Certificate from being improperly used; and if the Consul should find any difficulty in enforcing it, he will not fail to point out to

the offending parties that they are liable to a penalty of 100*l.*, and to report the case to the Board of Trade.

13. The provisions contained in the 6th section of the Merchant Shipping Act, 1873, apply only to British Ports of Registry, but their spirit should be acted on by the Consul in any case in which application is made to him for a Provisional Certificate for any ship which has been wrecked, abandoned, or condemned, *i.e.*, no such Certificate should be granted to such ship unless she be certified by a competent Surveyor to be seaworthy. The Consul, however, has no *statutory* power to order a survey in any circumstances. The only authority competent to order a survey under the M.S.A. is a Naval Court. This would not prevent a Consul from ordering a survey at the request of the owner, his master or other accredited agent, but in such cases the expense must be guaranteed. (See also paragraph 254.)

Provisional Certificate to abandoned Ships, s. 6, M. S. Act, 1873.

No statutory power to order survey. Par. 294.

14. If a Certificate of Registry is used for any ship other than that for which it was granted, the persons so using it are guilty of a misdemeanor, and the ship is liable to seizure and condemnation. If the Consul should become aware of any offence of this description, or any attempt to commit it, he will not fail to warn the parties of their liabilities, and also to inform the Board of Trade. But he will not exercise the power of seizing the ship given him by the 52nd section of the Act, unless he has reason to believe that the offence is wilful and fraudulent, and that it is intended thereby to obtain means of committing piracy or of avoiding lawful capture by the cruisers of Her Majesty or of Her Allies in time of war, or of defrauding the Revenue, or of doing some other act manifestly contrary to public policy. (See paragraphs 20 to 22.)

In cases where the Certificate is improperly used. S. 52.

15. Under the Act of 1873 foreign ports, where Her Majesty exercises jurisdiction, may be constituted ports of Registry, and under an Order in Council of the 6th August 1874 Shanghai was constituted a foreign port of Registry for British Ships.

Foreign Ports of Registry. S. 29, M.S. Act, 1873.

16. A general Register is kept by the Registrar-General of Shipping and Seamen, in which are entered, for reference, all particulars concerning the titles to British ships wherever registered; but for the latest transactions in respect of the title to a ship reference is necessary to the Register Book kept at the Port of Registry. A list of the Ships whose Registers are cancelled will from time to time be sent to the Consul by the Registrar-General.

General Register.

Certificates of British Ownership and Passes for Unregistered Vessels.

17. Certificates of British Ownership are issued by Consuls on the West Coast of Africa and by Her Majesty's Consul General at Constantinople; also on the East Coast of Africa by the Consul at Zanzibar to vessels conveying produce along the island coast. (For instructions to the Consuls on the subject see Appendices A. and B.)

Passes, available for one year, are issued by the Political Resident in the Persian Gulf under the authority of the Indian Government.

Provisional
Passes from
one part of
Her Majesty's
dominions to
another.

S. 98.

Appendices A.
and B.
Colonial Ship-
ping Act, 1868.
31 & 32 Vict.
c. 129.

The Consul will observe, that in certain cases the Commissioners of Customs and the Governors of Colonies may grant a Pass, enabling a ship to make a single voyage from one port in Her Majesty's dominions to another, without a Certificate of Registry.

Also that terminable Certificates of Registry may be granted in the Colonies to ships not exceeding 60 tons burden, subject to certain conditions.

Flags to be carried by British Ships.

Flags to be
carried by
British ships.
S. 105.

Appendix C.
(Frontispiece.)

18. The flag to be carried by British ships is the Red Ensign, a drawing of which may be found in Appendix C. The flag to be hoisted by British ships for a pilot is the Union Jack with a white border, a drawing of which may be also found in Appendix C. If any colours usually worn by Her Majesty's ships, or any pendant, or any distinctive national colours, except those above mentioned, be hoisted in any British ship or boat without warrant from Her Majesty or the Admiralty, the master, the owner, if on board, and every other person concerned, is liable to a penalty not exceeding 500*l.*; and Consuls and other public officers may board the vessel, and take away such colours or pendants.

Steps to be
taken when
improper flags
are carried.
S. 105.

19. The Consul will make known in the most public manner throughout the district of his Consulate the above rules concerning flags, and he will cause a notice of such rules, with a copy of the flags to be used to be exhibited in some conspicuous part of his office. If he is informed that any British vessel hoists colours which are contrary to the Merchant Shipping Act, he will send or go on board, and will seize the pendant or colours so hoisted, and will for that purpose order the master to

haul them down and deliver them up to him. If the colours are delivered up, care should be taken that the person to whom they are delivered is able, if called on, to prove their identity, either by keeping them in his custody or putting some mark upon them. In every case of offence, the Consul will report the facts to the Secretary of State for Foreign Affairs, in order that the Admiralty may consider whether any further steps should be taken. In so doing, he will state the name, Port of Registry, official number, tonnage, and destination of the ship, the name of the master, and nature of the pendant or colours improperly carried, the names, addresses, and destinations of any persons who have been witnesses of the offence, and the steps taken by the Consul and the result, with any statement or explanation given by the master.

Simulation or Concealment of National Character.

20. It is, as already noticed, of the utmost importance that the single remaining condition requisite to give to a ship the character and privileges of a British ship should be strictly performed, and it is also very important that the national character of a ship should neither be falsely assumed nor unduly concealed; so that on the one hand Her Majesty's Government may not be involved in any difficulties from claims to protection on the part of persons not intitled to use the British Flag, and so that on the other British ships may not, by concealing their national character, attempt to avoid obligations under which they are placed by British law. With a view of preventing these evils, the following offences are made punishable by forfeiture; that is to say :—

Penalties for false assumption or concealment of national character.

(a.) Using the British flag and assuming the British character S. 103. on board any ship owned or partly owned by persons not duly qualified to own British ships, for the purpose of making the ship appear to be a British ship, unless the assumption is made either for the purpose of escaping capture by an enemy, or by a foreign ship of war in exercise of some belligerent right :

(b.) Carrying or permitting to be carried on board a British ship any papers or documents, or doing or permitting anything to be done with respect to such ship, with intention to assume a foreign character, or to conceal the British character of the ship from any person entitled by law to inquire into the same :

(c.) The acquisition as an owner by an unqualified person of S. 62, 63, 64. any interest in a ship assuming to be a British ship, except in

certain cases of descent and transmission, for which special provision is made in the Act :

- S. 103. (d.) Wilfully making a false declaration concerning the qualification or ownership.

See also S. 9,
M. S. Act,
1855.

- S. 104. In order to enforce forfeitures in the above cases, Consuls and other public officers are enabled to seize and detain ships, and take them for adjudication before Courts of Admiralty, and they are exempted from any responsibility on account of the detention if reasonable grounds exist for the same. The Consul will, however, act in this case as in the case of a Certificate of Registry improperly used (see paragraph 14), and will not seize the ship unless he has reason to believe that the offence is wilful and fraudulent, or that it is intended thereby to obtain means of committing piracy, or of avoiding lawful capture by the cruisers of Her Majesty or of Her Allies in time of war, or of defrauding the revenue, or of doing any other act manifestly contrary to public policy. He will, however, in every case warn the parties of their liabilities, and will point out that in addition to the forfeiture, any person guilty of the offences secondly and fourthly above specified, is liable to be prosecuted for a misdemeanor, and he will also report every such offence to the Board of Trade.
- S. 103.

British owners
not registering
to have the
liabilities but
not the benefits
of British law.
S. 19.

S. 106.

21. A ship is not entitled to the privileges of a British ship unless duly registered, as above mentioned (paragraph 5); but in order to prevent British owners from attempting to evade British law by not registering their ships, it is provided that so far as regards payment of dues, liabilities to payments and penalties, and the punishment of persons for offences committed on board such ships by persons belonging to them, ships belonging to persons qualified to own British ships are to be considered British ships, although not registered.

Rule of International law.

22. In dealing with cases arising under the above-mentioned enactments, Consuls will remember that according to well established principles of International law, the owner of any ship using a national flag, and assuming a national character, cannot, upon any trial or judicial proceeding, be allowed to urge to his own advantage, or in his own defence, that the flag and character so assumed are not the flag and character which properly belongs to the ship.

Purchases, Mortgages, Sales at Foreign Ports, and Provisional Certificates of Registry.

23. Persons qualified to own British ships may purchase Foreign ships at a Foreign port. In such cases the ship cannot be completely registered until she arrives at some port where there is a British Registrar; but in order to prevent the inconvenience and dangers which would arise from the ship making a voyage without papers showing the national character, the Consul is enabled so grant a provisional Certificate, to remain in force until the expiration of six months, or until the arrival of the ship at some port having a British Registrar, whichever first happens. In granting this certificate he will attend to the following particulars:—

Purchase of ships by British owners at a Foreign Port and grant of a Provisional Certificate by Consul.
S. 54.

Form in Appendix D.

He will require from the purchaser, or from the agent of the purchaser, a declaration containing a statement of the qualification of the purchaser, similar to those contained in Forms B. or C. (as the case may be) in the Schedule to the Act, and containing also such of the other particulars contained in those forms as can be obtained without requiring a new survey or measurement; and this Declaration should, so far as possible, be in the same form, and be made with the same formalities and precautions, as declarations given for the purpose of the final registry of the ship, except that it must be marked "Provisional."

Forms B. or C. in Schedule to Act.

He will then prepare a Certificate of Registry, adhering as nearly as possible to the Form D. in the Schedule to the Act, except that at the top must be written in large and conspicuous characters the word "Provisional," and that at the foot or in some conspicuous place must be added the words "This Provisional

Form D. in Schedule to Act.

"Certificate of Registry continues in force only until the day of

[*insert the day of the expiration of six months from the date*], or until she completes her voyage from

"[*insert the port at which the Certificate is given*] to some port at which there is a British Registrar, whichever first happens." The provisional Certificate must be signed by the Consul instead of by the Registrar, and must be sealed with his Official seal. No official number is to be inserted. A form of Provisional Certificate of Registry, to be filled up according to the circumstances of the case, is given in Appendix D.

He will keep a duplicate of the Certificate and send it with the Declaration to the Registrar General of Shipping and Seamen, Custom House, London, E.C., on the first opportunity, and in so

doing he will endorse on the Certificate a statement of the Port of British Registry to which the ship is bound.

He will warn the master and the purchaser or his agent, that the Provisional Certificate is only in force until the ship reaches the first port at which there is a British Registrar, or at the expiration of six months, whichever first happens, and that she must then be surveyed, measured, and completely registered.

Mortgages and sales of ships in foreign ports.

24. All Transfers of ships are made, not by indorsement on the Certificate of Registry, which, as mentioned above (paragraph 10), is not a document of title, but by entry in the register books. As, however, there are numerous cases in which an owner may desire to sell or mortgage his ship when away from the port of registry, the following plan is adopted:—

Certificates of sale and mortgage. S. 76, 77, 78, 79.

Forms M. or N. in Schedule to Act.

25. The owner will obtain from the Registrar at the port of registry a Certificate containing a power to sell or mortgage the ship. This document will be in the form M. or N. in the Schedule to the Act (as the case may be); it will contain the names and descriptions of the persons by whom, and the limits of time within which it is to be exercised, and the place or places (if it is intended to fix the place) at which it is to be exercised, and also in cases of mortgage the maximum amount of charge to be created, if it is intended to fix a maximum, and in cases of sale the minimum amount of purchase money, if it is intended to fix a minimum. These particulars will, when the Certificate is given, be entered in the Register Book, so that persons at home, purchasing or advancing money on the ship will have full notice of all sales or incumbrances made under the Certificate whilst the ship is abroad. Mortgages and sales duly made in exercise of the powers thus given will have just the same effect as if they had been made in the Register Book, viz., they will give a good title, except against persons of whose prior claims the purchaser or mortgagee has actual notice. Mortgages and Sales made under common Powers of Attorney are not absolutely prohibited, but they will have no validity against sales or mortgages made under Certificates abroad, or by entry in the Register Book at the Port of Registry, and those who take under them will therefore do so at their own risk.

Duty of Consul in respect of Mortgage made under Certificate. S. 80.

26. The duty of the Consul in respect of mortgages to be made under these Certificates will be as follows:—

(a.) In case of Certificates of Mortgage, which may be exercised in favour of Foreigners as well as of British subjects, he will see

that the document presented to him is in the form and contains the particulars required by the Act, and that it is signed by the Registrar of the port of registry.

(b.) He will see that the proposed mortgage is in accordance with the terms of the Certificate, and that the person or persons exercising the power are the person or persons named for that purpose in the Certificate, and he will warn the mortgagee, that if this is not so his security will not be good.

(c.) He will record upon the Certificate the particulars of the Mortgage, in the form given in the note to form M. in the Schedule, or as near thereto as may be, taking care in no case to state unnecessary particulars, or to encumber the Certificate with anything but the bare terms of the Mortgage; and he will sign the record and affix his Consular seal.

Form M. in
Schedule to
Act.

(d.) He will be careful to make this record as soon as the Certificate is produced to him for the purpose, and to insert the day and hour on which it is done.

(e.) If two or more Mortgages are produced to him for indorsement, he will record them in the order in which they are produced, whatever may be their respective dates.

27. If a Mortgage made under a Certificate of Mortgage is transferred, and the instrument of transfer is produced to him, he will record upon the Certificate of Mortgage the fact of the transfer and the name of the transferee, and the date and hour of its being recorded, and will also make a memorandum on the instrument of transfer to the effect that it has been so recorded, stating the date and hour of such record.

Transfer of
Mortgage made
under Certificate.
S. 80, 73.

28. Whenever a Mortgage made under a Certificate of Mortgage is discharged, and the mortgage deed, with a receipt for the mortgage money indorsed thereon, signed by the mortgagee or by some duly authorised agent of the mortgagee, and attested, is produced to the Consul, whether such Consul be the person in whose presence the mortgage has been made or not, he will make an entry upon the Certificate of Mortgage, to the effect that the mortgage is discharged, and will sign such entry and affix his Consular seal. This entry should be in the form given in Appendix E., or as near to it as circumstances permit.

Discharge of
Mortgage made
under a Certificate.
S. 80.

Form in
Appendix E.

The effect of this entry will be to place the title of the ship in the same condition as if the Mortgage had not been made. The Consul will warn the parties to this effect, and that no re-conveyance or other legal document is necessary.

Certificate of Mortgage to be re-delivered to Registrar.
S. 80.

29. The Consul will warn the parties to any dealings upon a Certificate of Mortgage, that it will be necessary to re-deliver it to the Registrar of the Port of Registry of the ship as soon as it can conveniently be done.

Duty of Consul in respect of Certificate of Sale.
S. 81.

30. In cases of Certificates of Sale, the Consul will only in strictness have to deal with transfers to foreigners, as the Act does not require him to take any part in transfers made at a foreign port under these Certificates to British subjects. In cases of such last-mentioned transfers the ship must be registered anew; and for this purpose the Certificate of Sale, accompanied by the Bill of Sale, and the proper declarations, should be transmitted to the Registrar at the port of registry and, when possible, by the Consul.

In cases of sale to foreigners the Consul will see that the Certificate of Sale is in the form and contains the particulars required by the Act, and that it is signed by the Registrar at the port of registry.

He will see that the proposed sale is in accordance with the terms of the Certificate, and that the person or persons exercising the power is or are the person or persons named in the Certificate, and he will warn the purchaser that unless this is so his title will not be good. He will require to be produced to him the Bill of Sale by which the ship is transferred, the Certificate of Sale, and the Certificate of Registry, and will retain the Certificates of Sale and Registry; he will then indorse on both of such Certificates the fact of the sale, stating shortly the name and description of the transferee. He will then forward these Certificates by the first opportunity to the Registrar of the port at which the ship was registered. He will warn the parties that unless the Certificates of Sale and Registry are produced to him, as above mentioned, the sale will be invalid, and the purchaser will acquire no title.

Revocation of Certificates of Sale and Mortgage.
S. 83.

31. In order to enable persons who have granted Certificates of Sale and Mortgage to revoke them, provision is made to enable the registered owner of any ship for which a Certificate of sale or Mortgage has been granted, to require the Registrar by whom the same was granted to give notice to the Consul at the place where the power given by the Certificate is to be exercised that the Certificate is revoked. In such cases the Registrar will give such notice by a document in the Form O. in the Schedule to the Act, signed by him and addressed to the Consul. The Consul on receiving such notice will immediately record it, stating the day and hour of the receipt of the notice and of the record; and if the

Form O. in Schedule to Act.

Certificate of Sale or Mortgage is produced to him, will acquaint all the parties producing such Certificate, or proposing to deal thereunder, that he has received such notice, and will show it to them, and will warn them that no dealing under the Certificate subsequent to the date of the record will be valid. The Consul will also immediately upon the receipt of any such notice write to the Registrar from whom it comes, and inform him whether the powers given by the Certificate have previously been exercised.

32. The Consul will warn the parties to these transactions that Bills of Sale and Mortgages will be valid and sufficient if made in the forms contained in Forms E. and I. in the Schedule to the Act, or as near thereto as circumstances permit, and that lengthy legal documents are an unnecessary expense and inconvenience, and may prove otherwise prejudicial.

Instruments should be in forms E. and I. given in Schedule to Act.

33. For the purpose of recording transactions in ships under the above-mentioned provisions, the Consul will keep a book, in which he will record, in order, every Mortgage, Transfer of a Mortgage, and Discharge of a Mortgage, and every Sale made before him, stating the date and hour, the names and addresses of the parties, the name, official number, and port of registry of the ship, the consideration paid or advanced, and in case of a mortgage the interest. He will also record in the same book any revocation of a certificate of sale or mortgage, as directed in paragraph 31, and will allow any person to inspect this book at all reasonable hours.

Book to be kept for above particulars.

MASTERS AND SEAMEN.

GENERAL.

34. The Consul's duties under this head are very onerous and important. Under the Acts many special functions and powers are committed to him, as mentioned in the following instructions : but he will remember that, independently of these special duties, he is looked upon as the representative of British law in his Consulate ; that his position is one the authority and functions of which it is impossible to define with the same strictness as those of public officers acting within the British dominions ; that he will frequently be appealed to as an arbitrator ; and that upon his patience, judgment and temper in settling differences which may arise amongst the crews of Merchant ships, must often depend the welfare and safety of many important lives, and of much valuable property.

General duties as regards the Crews of British Ships.

General Cognizance by Consul of Masters and Crews, and steps to be taken on their arrival.

Cognizance of
masters and
crews.

35. The Masters and crews of British ships arriving at the port will, in most cases, even if the masters do not for other reasons wait upon the Consul, be brought under his cognizance by some one of the following provisions :—

Documents to
be delivered to
Consul.
S. 279.

36. The Masters of all ships (except those whose business for the time being is to carry passengers) which arrive at his port, and remain there for 48 hours are bound within that time to deliver to him the agreement with the crew, and the indentures and assignments of the apprentices on board. These he is to keep during the ship's stay in port, to make upon the agreement the indorsements mentioned in the paragraphs below, and if there has been any neglect of the law, an indorsement, containing a statement thereof. At a reasonable time before the departure of the ship he is to add a certificate stating when the documents were delivered to and returned by him, and stating also the time at which the ship first entered the port, and to return the documents to the Master. In making these several indorsements the Consul may include them in one statement, signing it once only. If he becomes aware of any transgression of the law by the Master, or if in any case the above documents are not duly delivered to him, he is, by the first opportunity, to report the facts to the Registrar-General of Seamen.

S. 13,
M. S. A., 1862.

Pleasure yachts are exempted from the above provisions.

Consul to be
careful in
making
indorsements.

37. In making the indorsements above mentioned, the Consul will remember that he is responsible for the correctness of the statements they contain, and is bound to satisfy himself by inquiry of their truth.

Ships whose
business for the
time being is
to carry
passengers.
S. 279.
See also item
17 of the Table
of Consular
Fees in
Appendix R.

37a. In interpreting the words "Ships whose Business for the Time being is to carry Passengers," it is impossible to lay down any definite rule, and the matter must be left to the Consul's discretion. Vessels with a Passenger Certificate, and specially fitted and arranged to carry passengers, like those belonging to regular Passenger lines, should be exempted, although they have but few passengers actually on board; and on the other hand vessels whose ordinary and principal employment is to carry cargo, should not be exempted because they may have a few passengers on board. All steamers are now allowed to carry 12 passengers without a Passenger Certificate.

S. 16,
M. S. A., 1876

38. Any seaman or apprentice who desires to make complaint to the Consul, is to be permitted to go ashore in proper custody to make such complaint, under a penalty of ten pounds on the Master if, without reasonable cause, he refuses to allow it. Complaints to Consul.
S. 232.

39. In addition to the general power of complaining to a Consul, mentioned above (paragraph 38), power is given to any three or more of the crew of a British ship to complain to a Consul that the provisions or water for the use of the crew are of bad quality, unfit for use, or deficient in quantity. Upon any such complaint being made, the Consul will, unless he is satisfied that it is frivolous or vexatious, have the provisions or water examined. If the result of the examination is such as to satisfy him that the complaint is well founded, he will cause a notice in writing under the hand of the person making the examination to be given to the master of the ship, specifying the particulars in which the provisions or water are found to be bad, unfit, or deficient, and requiring the master to provide proper provisions, or water, or to make up the quantity, as the case may require, and giving him notice that if he fails to do so, he will be liable to a penalty of 20*l*. If, on the other hand, the result of the examination shows that there was no reasonable ground for the complaint, each of the parties complaining will be liable to forfeit to the owner one week's wages, and of this the Consul should apprise the complainants when the complaint is first made. Whenever any such examination as aforesaid has been made, the Consul will enter in the Official Logbook the result of the examination, and will also send to the Board of Trade a report containing the names of the complainant, the particulars of the complaint, an account of the examination, and of the result thereof, and of the steps, if any, thereupon taken by the master; such report to be signed by the Consul, and sealed with his official seal. The Consul will be particularly careful and accurate in framing this report, as it may be produced in evidence in subsequent legal proceedings instituted either against the master for the penalty, or for the allowances mentioned in the 223d section of the Act, or upon a question as to forfeiture of wages under the 222d section. Power of seamen to complain of provisions and water.
S. 221.

40. In any case where the Consul has reason to suspect that any provisions of the Merchant Shipping Act, 1854, or any law concerning seamen or navigation, are not complied with, he may require the Owner, Master, or any of the Crew of any British ship to produce any Official Logbooks or other documents relating to the crew; he may call for a list of the crew; he may Power of inquiry.
S. 13.

take copies of the documents; he may muster the crew; and he may require the Master to give any explanation concerning the documents; and any person disobeying is liable to a penalty not exceeding 20*l*.

Notices of
Epidemic
Diseases,
Disturbances,
&c.

41. If there is any epidemic disease raging at the place, or if there are any disturbances or other causes making it unsafe or improper for British ships to enter into the port, or stay there, the Consul will take such means as he can to warn the Masters, on their arrival, of the danger.

Notice of
Local Regula-
tions.

42. The Consul will, so far as in his power, make known to British Masters the various Local Regulations to which they may be subject on their entry, or during their stay in port, and will assist them in complying with such Regulations, so that on the one hand the Local Laws may be obeyed, and so that on the other British Masters may not be subjected to unnecessary inconvenience.

Register book
of ships coming
to the port.
Form in
Appendix F.

43. The Consul will keep a Register of all British ships coming to his port, with the particulars and in the form in Appendix F., together with any other particulars he may think it desirable to record.

Importance of
furnishing
particulars in
Form C. 19a.

44. The Consul's attention is specially called to the importance of furnishing all the particulars required by the Form C. 19a, which should be transmitted to the Register General of Shipping and Seamen, Custom House, London, E.C., *by the first mail after any entries are recorded.* And in order to see that none of the lists have miscarried, the entries should be numbered consecutively, beginning on the 1st January in each year with No. 1, and the numbers should be continued throughout all the returns until the end of the year (*e.g.*, if the last number in January list is 54, the first entry in the February list should commence with 55, and so on).

See also **Health of Crews and Reserve Force of Royal Naval Volunteers.**

Colonial Certificates of Competency.

Names of
Colonies by
which granted
and particu-
lars of
certificates.

45. Certificates of Competency of the following grades, which have been granted in the following Colonies since the dates specified below, and under an Order in Council issued in accordance with the provisions of s. 8 of the Merchant Shipping (Colonial) Act,

1869, are now recognised by the Board of Trade as of the same validity as if granted in the United Kingdom, viz. :—

S. 8. M. S.
(Colonial)
Act, 1869.

Possession.	Nature of Certificate.	Date.
<i>Canada</i> -	Masters and Mates	19th August 1871.
” -	First Class Engineers and Second Class Engineers -	1st January 1887.
<i>Malta, and its Dependencies.</i>	Masters, Mates, and Engineers -	12th May 1874.
<i>Victoria</i> -	Masters, Mates, and Engineers -	4th January 1870.
<i>New Zealand</i> -	Masters, Mates, and Engineers -	15th May 1872.
<i>New South Wales.</i>	Masters, First Mates, or Second Mates, and First Class Engineers, or Second Class Engineers -	18th June 1872.
<i>South Australia</i>	Masters, First Mates, Only Mates, or Second Mates, and First Class Engineers, or Second Class Engineers -	12th May 1874.
<i>Tasmania</i> -	Masters, Mates, and Engineers -	1st April 1876.
<i>Bengal</i> -	Masters, Mates, and Engineers . -	27th June 1876.
<i>Newfoundland</i> -	Masters and Mates - . . . -	14th May 1877.
<i>Bombay</i> -	Masters, Mates, and Engineers -	11th July 1877.
<i>Queensland</i> -	Masters, Mates, and Engineers -	1st October 1877.
<i>Hong Kong</i> -	Masters, Mates, and Engineers . -	1st January 1884.

As the Colonial Certificates of Competency referred to are to have the same force as the similar certificates granted by the Board of Trade in the United Kingdom, they must be accepted as occupying in every respect the place of the latter, and as entitling their bonâ fide holders to act in the capacities stated on them, or in any inferior (but not superior) capacity, in any British Ship, all over the world without the possession of a Board of Trade Certificate.

Colonial Certificates must be used, produced, and delivered at the times and on the occasions at and on which Imperial Certificates of Competency must be used, produced, and delivered.

Detention of
Certificates in
certain cases.

46. Consular officers are empowered by the Order in Council under which these Certificates have been recognised, to demand, and if necessary detain, any such Colonial Certificate which they have reason to believe has been improperly issued, or has been forged, altered, cancelled, or suspended, or to which the person using it is not justly entitled.

Whenever this power is exercised a report of the facts and circumstances must be sent by the Consul, with the least possible delay, to the Board of Trade and to the Government of the Possession in which the Certificate was originally granted or may purport to have been granted.

As the withdrawal of a Certificate would in some cases entail inconvenience, not only upon its possessor but also upon the owners of the ship and cargo, it is scarcely necessary to caution Consuls that the exercise of the power should only be resorted to when the evidence is perfectly clear, and if the ship is bound to the United Kingdom, and the report above mentioned has been sent to the Possession, the Board of Trade should nevertheless be informed of the facts.

Every case of death of a Colonial Certificate-holder which may come to the Consul's knowledge should be reported, and the certificate, if it has come into the Consul's Possession, forwarded to the Government of the Possession by which it was granted, without delay.

Naval Courts.

47. It will be noticed that these Certificates will be liable to cancellation and suspension in precisely the same way as Certificates granted by the Board of Trade under the Merchant Shipping Acts, and by the same Boards, Courts, and Tribunals. The provisions of "The Merchant Shipping Act, 1854," and "The Merchant Shipping Act Amendment Act, 1862," as to Naval Courts will, therefore, be applicable to the Colonial Certificates in question, except so much of the third paragraph of the 23rd section of "The Merchant Shipping Act Amendment Act, 1862," as requires at the conclusion of a case relating to the cancelling or suspending of a Certificate, such Certificate, if cancelled or suspended to be forwarded to the Board of Trade, and the whole of the provisions of the fourth paragraph of the same section.

Cancellation,
&c. of Certi-
ficates.

48. The Order in Council further provides that the cancellation or suspension of a Certificate shall involve cancellation or suspension of all the other Certificates (if any) possessed by its owner. With the view of carrying this Regulation strictly into effect, it will be desirable that the Court should endeavour to ascertain, and should

specify in their decision the particulars of all the Certificates possessed by any person whose conduct is the subject of an investigation by them.

In cases of cancellation and suspension of such Colonial Certificates, copies of the report of the Court and of the evidence, together with the respective Certificates, should be sent to the Governments of the British Possessions by whom the several Certificates possessed by the offender were originally granted. A full report upon the case and the evidence should, at the same time, be sent to the Board of Trade, as required by the Act, and the sentence, giving the number of each Certificate dealt with, and the name of the Possession in which it was granted, should be mentioned in it.

49. These instructions must be understood as having reference only to Colonial Certificates of competency granted under an Order in Council issued as mentioned in paragraph 45.

Instructions refer only to certificates granted under Order in Council.

ENGAGEMENT AND DISCHARGE OF SEAMEN.

Engagement of Seamen.

General.

50. Whenever a seaman is engaged in any British ship in any port where there is a Consul, the sanction of the Consul must be obtained; the Consul must cause the agreement to be read over and explained to the seaman, or otherwise ascertain that the seaman understands it before he signs it. The seaman must then sign it in the Consul's presence, or, if he cannot write, must make his mark. In no case is any other person to be allowed to sign or make a mark for him. The Consul must attest the signature and indorse on the agreement a statement in the form in Appendix G.

Agreements with Seamen. S. 160. Appendix G.

The Consul will pay particular attention to this part of his duty, as very great evils and inconveniences are found to arise from the fact that men are engaged in foreign ports through the medium of private shipping agents, and often without any knowledge of the terms on which they are engaged or the service required from them.

51. The Consul should, if he have any suspicion that a seaman is making a false statement as to his own name or that of his last ship, warn him that a wilful false statement of either will render him liable to a penalty of five pounds, to be deducted from his wages.

False statement by Seamen of name, &c. S. 255.

The Consul should ask each seaman to produce his discharge from his last ship.

Competency or Service relate only to cases in which ships go to sea from ports in the United Kingdom, and the Consul cannot enforce the engagement of Certificated Officers. When, however, a Master, Mate, or Engineer holds a Certificate of Competency or Service, it should be produced to the Consul, and the number of it should be inserted opposite the name of the possessor in any form in which his name appears; and whenever he does not hold one he should be reminded of the provisions of s. 136 of "The Merchant Shipping Act, 1854," and s. 5 of "The Merchant Shipping Act Amendment Act, 1862," which would be enforced if the ship at any time in the course of the voyage should go to sea from the United Kingdom.

Colonial Certificates of competency.

62. Certificates of Competency of equal validity with those issued by the Board of Trade are issued in certain of the Colonies. For particulars of these Certificates see paragraphs 45 to 48.

Attendance of Apprentices. S. 145.

63. Any apprentices destined for the voyage must be in attendance; their indentures must be produced to the Consul, and the apprentice's name, with the date of his indenture, and the name of the port where it is registered, must be entered on the Agreement.

Stipulations in Agreement.

S. 149.

S. 7, M. S. Act, 1873.

64. In settling the Agreement, it will be the Consul's duty to object to the insertion of any stipulation which he considers contrary to the Act of Parliament; but he has no legal power to prevent the insertion of any stipulation which the Master and crew voluntarily and knowingly choose to adopt.

Difficulties arising from vaguely worded Agreements.

65. One matter of very great importance to the parties themselves is a proper description of the limits and nature of the intended voyage.

Difficulties frequently arise between masters and crews of British Merchant Vessels owing to the indefiniteness of the wording of their Agreements.

The following is quoted as an example:—

"From Cork to Shields and from thence to Constantinople or any other Port or Ports in the Mediterranean Sea, Sea of Azov, or Black Sea, or *wherever freight may offer for the ship*, and back to a Port of Call for orders if required; from thence to a Port of final discharge in the United Kingdom, or , expected term of service not to exceed 18 months."

It is obvious that all Articles of Agreement ought to be as explicit and as free from doubt as possible. When this is not so the intention of the 149th clause of the Merchant Shipping Act, 1854, is defeated, and both owners, masters, and crews are exposed

to inconvenience, delay, and litigation. Consuls should therefore point out to Masters the importance of making the exact nature of an Agreement obvious on the face of it, and the impolicy of inserting such vague phrases as "*wherever freight may offer for the ship,*" or "*expected term of service.*"

66. A stipulation is sometimes inserted in Agreements to the effect that the crew may be discharged at some port on the continent of Europe, and some misunderstanding has prevailed as to the effect of such stipulations. Masters should be made to understand that it does not enable them to discharge their crews in a Foreign Port without the sanction of the Consul, or relieve them from the necessity of providing the men with a passage home. Seamen should be made to understand that in the event of their being discharged abroad under such a stipulation, they will in all probability not be held entitled to wages for any time subsequent to their discharge.

Stipulations in Agreements that crew be discharged abroad.

66a. It is not an uncommon practice to conclude the wording of a Ship's Agreement with a Clause to the following effect: "to be discharged at a final Port in the United Kingdom or Continent of Europe; term of service not to exceed — months;" the words "Continent of Europe" being used to signify that part only of the Continent which is within the Home Trade limits, *i.e.*, between the River Elbe and Brest inclusive.

"Continent of Europe."

This irregular use of the phrase "Continent of Europe" to denote only a certain portion thereof is inadvisable, and liable to create difficulties, as, for instance, if a ship should discharge cargo on the Continent at a port outside the aforesaid Home Trade limits, the crew might cause difficulties by demanding their discharge immediately upon arrival at that port, even though the maximum time limit had not been reached. Consuls should, therefore, point out to Masters of British Ships who may desire to make an Agreement of this nature, the importance of inserting the words "between the River Elbe and Brest inclusive" after the vague term "Continent of Europe," and also of inserting in all cases a time limit.

66b. A case occurred in which the Master of a vessel brought a charge of wilful disobedience against certain members of the crew, and it was decided by a Colonial Magistrate that the Articles were not valid or binding on the crew, because (1) the voyage was not described therein with sufficient certainty, covering, in fact, nearly the whole civilized world; (2) the number of seamen engaged as sailors was not mentioned.

An instance of the result of a vaguely worded Agreement.

These reasons were considered insufficient to invalidate the contract between the Master and his seamen; but, in order to guard against similar objections being taken in future, Consuls should take care that Articles of Agreement opened at their Consulates are made out strictly in accordance with the requirements of section 149 of the Merchant Shipping Act, 1854.

Payment of
Wages in Ports
abroad.
Rates of
Exchange.

67. The attention of seamen should be called to the consequences of signing Agreements which contain provisions for the payment of their wages (in the event of their being discharged abroad) at a *fixed* rate of exchange, calculated to make the sum payable less than it would be, according to the *actual* rate of exchange.

The provisions in questions are generally worded as follows:—

Any member of the crew paid off (abroad) to be paid at the rate of 2s. or (2s. 3d.) the rupee; or 4s. 2d. (or 4s. 6d.) the dollar.

This practice is now becoming very common, especially in the trade with India and the United States, and the result is invariably that seamen who are discharged abroad get less than they would if discharged at home.

The following table shows the actual loss so incurred by certain seamen discharged from a British ship at Bombay:—

Statement of Account of Wages of Seamen discharged at Bombay from the Ship _____, Official No ____.

Name of Seamen.	Capacity.	Balance of Wages due in Pounds Sterling.	Balance of Wages due at Official Rate of Exchange at 1s. 8½d. per Rupee.	Balance of Wages received by Seamen under Agree- ment at 2s. 3d. per Rupee.	Loss to the Seamen on Discharge.	Remarks.
		£ s. d.	Rs. a. p.	Rs. a. p.	Rs. a. p.	The Clause in the Agreement of the ship is as follows:— “Any member of the crew being paid off in India to be paid at the rate of two shillings and threepence the rupee.”
Cook		9 11 4	112 0 0	85 0 7	26 15 5	
A.B.		6 2 2	71 8 2	54 4 9	17 3 5	
A.B.		2 9 11	29 3 6	22 2 11	7 0 7	
A.B.		1 8 1	16 7 0	12 7 8	3 15 4	
A.B.		8 5 2	96 10 11	73 6 6	23 4 5	
A.B.		4 12 8	54 3 10	41 3 0	13 0 10	
A.B.		11 9 8	134 7 0	102 1 2	32 5 10	
Total loss to above Seamen Rs.					123 13 10	

If the rate of exchange is not fixed in the Agreement, seamen will be paid off at the current rate of exchange at the port of discharge, and will not be losers.

Seamen have a right to be paid in sterling, or at a rate which would purchase them at the port of discharge the amount of sterling due to them, so that they should not be losers by being paid in a foreign currency.

This caution equally applies to vessels bound to all foreign countries where the terms of their agreement provide for the payment of wages in any foreign currency.

In passing sums charged in the accounts of wages for advances of cash during the voyage, the Consul should remember that masters are only entitled to charge according to the current rate of exchange, on the day of the advance, at the Port where it was made. Advances made during the Voyage.

68. The Consul must see that the Agreement is properly settled in duplicate, that the description of the crew (*specifying how many are sailors*) is properly entered, that the successive folios, if more than one, are properly numbered, that the blanks are properly filled up, and that the reference, if any, to the sanctioned regulations as to fines is properly made. Settlement of Agreement.

When the agreement is settled, and before it is signed, the Consul must read it over to the crew, or cause it to be read over to them in his presence, and explain it if necessary. S. 150.

69. The Master must then sign the Agreement and the Duplicate in the presence of the Consul, and afterwards each member of the crew must do the same. After the attestation of the signature or marks, see paragraph 50, the Consul will see that the copy of the Agreement Form U. which is to be made accessible to the crew, is made to correspond with the Agreement. This form, as well as the Agreement, will be taken away by the Master; the Consul must retain the duplicate or office copy of the Agreement, and forward it to the Registrar General of Shipping and Seamen, if the ship is registered in the United Kingdom. If the ship belongs to a British possession, the duplicate should be sent to the Shipping Master at the Colonial port to which she belongs, *provided it can be sent free of charge*, and full particulars respecting the crew should be sent to the Registrar General of Shipping and Seamen on Form C. 19a. If she is bound to a foreign port duplicates should be kept for two years from date of signature, and in the event of no inquiries being made regarding them during that time, may be destroyed. Signing Agreement.
S. 150.
S. 166.
Form U.
Copy of agreement.
Form C. 19a.

In cases when duplicates of the Agreements are forwarded to the Registrar General of Seamen, it will not be necessary to enter any particulars in the Form C 19a. beyond the name of the ship, and the date when the Duplicate Agreement was sent to him.

Advance of wages.
S. 149

70. The Consul's duty with respect to advances of wages will be confined to seeing that any stipulations for advances are entered in the Agreement.

Allotment of wages.
Ss. 168, 169, and S. 3, M. S. (Payment of Wages and Rating) Act, 1880.
Form V. (Authority for Allotment Notes).
Form L. (Allotment Note).

71. On the other hand, as power is given to sue summarily upon Allotment Notes, which are required to be in the sanctioned Form, if the Master has a proper Authority for giving Allotment Notes to the crew (Form V.), the Consul will see that the Allotment Notes are properly filled up, that the counterfoils are made to correspond, and that the particulars are entered in the Agreement. The Allotment Notes may be delivered to the crew at once.

Alterations in Agreement are void unless attested to have been made with the consent of all parties.
S. 163.

72. Every erasure, interlineation, or alteration in any Agreement with seamen (except additions so made as directed by the Act for shipping substitutes or persons engaged subsequently to the first departure of the ship) will be wholly inoperative, unless certified to have been made with the consent of all the persons interested in such erasure, interlineation, or alteration, by the written attestation (if made in Her Majesty's dominions) of some Shipping Master, Superintendent of a Mercantile Marine Office, Justice of the Peace, Officer of Customs, or other public functionary, or (if made out of Her Majesty's dominions) of a British Consular Officer, or where there is no such Officer, of two respectable British Merchants.

Official Log Book.
Ss. 280, 286.

73. The Consul should furnish the Master with an Official Log Book calculated to serve for the intended voyage, which is to be delivered up at the end thereof to the officer before whom the crew are discharged.

Forms to be supplied gratuitously.

74. The requisite forms, and an Official Log Book, are to be supplied to the parties free of charge in each case.

Seamen discharged or left abroad.

Leaving Seamen abroad.

75. It will be the Consul's duty to prevent as far as possible British seamen from being left unprovided for at his port.

Discharges under sec. 205. Seamen's right to passage home.

76. When a seaman is discharged at a foreign port from any cause, except shipwreck or unfitness from illness to proceed on the voyage, unless he has been guilty of barratry, or is undergoing a

Sentence of Imprisonment imposed by a legally constituted Court, he has a right to have adequate employment found for him by the Master or to be sent home at the expense of the owner. The Consul should therefore do all that he can to prevent seamen from being discharged at his port unless adequate employment or subsistence and passage home, in addition to full wages, be provided by the Master.

This instruction applies equally to the case where the whole or part of a crew of a ship leave in consequence of termination of Agreement and to the discharge of a single seaman by mutual consent before the Agreement is terminated. See paragraphs 130, &c.

77. As however section 205, which deals with the subsistence and repatriation of seamen, does not come into operation until after the question of discharge is settled or the service otherwise terminated, the Consul whilst properly warning the Master of the consequences of any refusal on his part to comply with the requirements of section 205, and endeavouring to ensure his compliance with them, should not go so far as to refuse or delay his sanction under section 207 to a discharge on the ground that the Master has refused to comply with them. Masters to be warned.
S. 205.

78. Payments to the seamen themselves of sums to defray their expenses should be particularly discouraged, as there is always a great probability of their spending the money and then applying for relief. Payments to seamen to be discouraged.

79. In cases where the Masters make a deposit with the Consul under this section, the deposit is to be credited in the Consul's account with the Board of Trade, and the expenditure of each deposit, or any part of it, is to be charged therein and duly supported by vouchers. Seamen in whose respect such deposits are made are to be offered free subsistence and passage home; but if they decline it, or prefer to ship or obtain employment, the deposits are to be retained, and in no case given to the seamen, who have no claim to them except for the purposes for which they were deposited. The deposits are to be calculated so as to allow for passages at *ordinary lowest fares*. If it is proved to the satisfaction of the Board of Trade that the seamen have shipped in other vessels or obtained other employment of a permanent nature, and that there is no reasonable probability of their becoming a charge upon the Government, the Board of Trade will return the deposits on application. Deposits under sec. 205.

Forcing men ashore, &c.
S. 206.

80. Any Master or other person belonging to any British ship who wrongfully forces on shore and leaves behind, or otherwise wrongfully and wilfully leaves behind, any seamen, is guilty of a misdemeanor, and it will be the Consul's duty to report to the Board of Trade any such wrongful and wilful acts.

In all cases of discharge application to be made to Consul.
S. 207.

81. Whenever the Master of any British ship proposes to discharge or leave behind in any foreign port any person belonging to his ship, he must apply to the Consul. The Consul will then examine into the grounds of the proposed discharge, or into the grounds on which the man is to be left behind, and may, if he thinks it necessary, administer oaths for that purpose.

Consent of seamen necessary.

82. In considering the propriety of granting or withholding this sanction, the Consul will remember that the discharge cannot lawfully be effected without the consent of the man who is to be discharged, unless he is removed from the ship by order of a Naval or other legally constituted Court.

When applied for on the ground of ill-treatment.

83. In cases where the application is by the seaman, and the ground alleged is ill-treatment or breach of agreement by the Master, or danger on board, the Consul must also be guided by his discretion; but he will remember that the case must be of a very grave character, and very distinctly proved, in order to entitle a seaman to his discharge before his contract is completely performed.

When applied for on the ground of inability.
S. 209.

84. In cases where the ground of the proposed discharge is unfitness or inability to proceed on the voyage, the Consul will not grant his certificate unless he is satisfied that the man is in reality unable through illness to do his duty on board, or would be in danger or a cause of danger to others were he to proceed, and that there is no reasonable prospect of his recovering in time to continue the voyage. Paragraph 100.

Medical certificate to be required in certain cases.

85. If the Consul is not so satisfied, he should before sanctioning the discharge require the production of a certificate from an unbiassed medical practitioner, stating that the seaman's health or the health of those on board requires his removal from the ship. In all cases the expense of such certificate must be borne by the ship.

Discharges at ports where few ships clear for the United Kingdom.

86. Consuls at ports at which few ships clear for the United Kingdom should refuse, except in very exceptional cases, to sanction the discharge of seamen, especially when the ship is pro-

ceeding to other ports where there are greater opportunities of obtaining employment or passages home.

87. If the Consul is satisfied that the discharge ought to be sanctioned, he will indorse upon the agreement a Certificate in the Form in Appendix I.

Consular certificate to be endorsed on agreement. Form in Appendix I. To be written, and to describe grounds of discharge.

88. This indorsement should be written. Neither labels nor stamped impresses are legal. It should contain a distinct statement of the grounds of discharge, and if the man is sick should state his disease, and whether it was the result of hurt or injury in the service of the ship. Paragraphs 95, 100, 117, 118, 145, 153.

89. Masters and owners being subject to heavy penalties and liabilities if men are left behind without such Certificate, and the burthen of proving such Certificate being thrown by the Act upon them, it is important that the Consul should be careful that it is properly granted or withheld, and that he should satisfy himself of the correctness of the statement it contains by proper evidence. The mere report of the Master, unsupported by other testimony, ought in no case to be deemed sufficient.

Penalties accruing in default of sanction. Ss. 207, 208, and 213.

90. Whenever any seaman is left behind on any ground except desertion, the Consul will see that the Master gives him a Certificate of Discharge in the Form C. 11 or Dis. 1.

Certificate of discharge to be given, and where applicable certificate of competency or service to be returned. S. 205. and S. 172. Form C. 11. or Dis. 1

If the person discharged is possessed of a Certificate of Competency or Service, and it is held by the Master, the Consul will see that it is restored to him.

Certificates of Discharge and Character.

91. If a seaman discharged before the Consul *desires to have a certificate of his character* for the voyage, the Form of Certificate of discharge and character, marked Dis. 1., is to be used for the purpose, instead of the Form C. 11, but if the seaman does not so desire, or if the Master declines to give him a good character, the Form C. 11 should be used.

Form C. 11 or Dis. 1.

The intention of the Form Dis. 1. is that the record of character shall be inserted in a space appropriated to receive it. Thus, a "good" character must be recorded in the space marked "good," and a "very good" character in the space marked "very good," and so on.

92. In using the Form Dis. 1. special care should be taken,—

- a. That the entries on the form correspond with the entries relating to the seaman made by the Master in the Articles of Agreement and in his Official Log Book:

Steps to be taken. Form Dis. 1.

- b. That the directions noted on the form are strictly complied with; and that no form is parted with until *all* the spaces set apart for the record of character and conduct have been either filled in or defaced in the manner indicated:
- c. That the signature of the Master is affixed in the Consul's presence:
- d. That blank forms on no account be issued.

Counterfoil to be filled up.
Form Dis. 1.

93. Care must be taken to fill up the counterfoil of each certificate at the time, and to preserve the counterfoils.

Seamen discharged abroad from scurvy, &c.

S. 221, &c. and M. S. A., 1867.

94. Whenever a seaman is discharged on account of scurvy, or suffering from illness caused by insufficient food, water, accommodation, medicines, or antiscorbutics, the Consul should ascertain whether he has been supplied with proper food and water according to his agreement, or with such accommodation, medicines, medical stores, or antiscorbutics as are required by the Acts of 1854 and 1867; if not, a special report of the case should accompany the Form C. 12 to enable the Board of Trade to judge whether a claim may not be made on the owners for any expenses incurred on account of the seaman. *See also* paragraphs 117, 118, and 155.

Form C. 12.

Injury in service of men shipped in a British Possession abroad.
S. 228.

95. In cases where it is necessary that a seaman who has been shipped in a British Possession should be left behind on account of injury or hurt in the service of the ship, the Consul should settle with the Master and the seaman where the latter is to be sent when cured. In cases where delay and expense would be caused by sending him back to the Possession in which he was shipped, and the seaman agrees to being sent to the United Kingdom, the Consul should point out to the Master that he and the owner are both liable to pay the man's expenses back to the port of shipment, and offer to release him and the owner from their liability in this respect on his depositing a sum sufficient to defray the seaman's passage to the United Kingdom. Any sum so deposited should be credited in the Consul's account current in the Form C. 18.

Form C. 18.

Principles on which amount of wages is to be determined.
S. 185.

96. Any questions that may arise in estimating the sum due for wages will be decided by the same Rules of Law by which they would be decided in judicial proceedings in England.* In cases of wreck, the seaman will be entitled to wages for all the time

* In calculating wages they are to be reckoned by the calendar month.

prior to the date on which he quits the service of the ship, unless it is shown that he has not exerted himself to the utmost to save ship, cargo, and stores. But such right terminates with the termination of the service.

97. If the seaman is discharged or left behind on any other ground than unfitness or inability from illness to proceed on the voyage, unless he has been removed from the ship by order of a Naval or other legally constituted Court, the Master will deliver to him an account of his wages, and will pay to the seaman himself the amount which is proved to be due. The Consul's duty, as regards the settlement of wages, will merely consist in seeing that the matter is properly transacted, and in arbitrating between the parties if necessary. He has no judicial power vested in him, but the power of granting or withholding his sanction to the discharge will generally enable him to see that justice is done.

Balance of
wages when
paid to seamen.

97a. In any dispute respecting delay or neglect on the part of a master to pay the wages due to seamen when discharged, the Consul should refer to section 187 of the Merchant Shipping Act, 1854, which provides that "the master or owner of every ship shall pay to every seaman his wages within the respective periods following; (that is to say) in the case of a home trade ship, within two days after the termination of the agreement or at the time when such seaman is discharged, whichever first happens; and, in the case of all other ships (except ships employed in the southern whale fishery or on other voyages for which seamen by the terms of their agreement are wholly compensated by shares in the profits of the adventure) within three days after the cargo has been delivered, or within five days after the seaman's discharge, whichever first happens; and in all cases the seaman shall at the time of his discharge be entitled to be paid on account a sum equal to one-fourth part of the balance due to him; and every master or owner who neglects or refuses to make payment in manner aforesaid, without sufficient cause, shall pay to the seaman a sum not exceeding the amount of two days' pay for each of the days not exceeding ten days during which payment is delayed beyond the respective period aforesaid, and such sum shall be recoverable as wages."

Period within
which wages
are to be paid.

98. The Consul should point out to seamen that if they desire to send home any portion of their wages, they can do so by Money Order, and he should do his best to promote thrift amongst them by this means. For further particulars relating to Foreign Money Orders, see paragraphs 271-285.

Money Orders.

Wages when
discharged by
a Court.

99. If the seaman is discharged in consequence of an order of a Naval or other legally constituted Court, his wages, unless otherwise appropriated by the Court, are applicable to meet his expenses, and should be dealt with as in the case of men discharged through illness. Paragraphs 100-104.

If the man is to
be left on the
Consul's hands,
an account of
his wages must
be given.

S. 209.

Form C. 12.

100. If the cause of discharge is unfitness or inability to proceed on the voyage on account of illness, the Consul will require from the Master a full and true account, in duplicate, of the wages due, on the Form C. 12. In filling up the Certificate at the foot of this form, the Consul will in all cases, state the nature of the illness, mentioning particularly whether it is the result of hurt or injury in the service of the ship. (See paragraphs 103, 117, 118, 145, and 153.)

Deductions
from seamen's
wages.

101. This account is to be examined and compared with the agreement and Official Log Book or other book in which deductions from wages are entered, and no such deduction is to be allowed unless it is duly entered, and proved to the satisfaction of the Consul to be just. The seaman's wages should be demanded to the date of the Consular Certificate (see Appendix I.) and not to the date of his going off duty or going to hospital. No deduction should be allowed for time during which a seaman is off duty from illness, unless it is proved that such illness has been caused by his own wilful act and default. The account should be submitted to the seaman for his approval, unless he is from illness incapable of attending to it.

Form in
Appendix I.

S. 7 & 8,

M. S. A., 1867.

It will be the duty of the Consul to refuse his assent to deductions which are clearly contrary to any provision of the Merchant Shipping Acts, as, for instance, for medical expenses, &c., which come within the 228th section of the Act of 1854, sub-sects. (1), (2), and (3). It will also be the duty of the Consul to protect the seaman from ignorantly agreeing to deductions which are not clearly contrary to any provisions of these Acts. Whether the deductions claimed are in accordance with the law, as, for instance, deductions for substitutes under the 243rd section of the Act of 1854, or have no such legal sanction, it will be the duty of the Consul to point out to the seaman those, if any, which appear to him to be improper or of questionable legality, and not to allow them unless he fully satisfies himself that they are equitable, and that the seaman fully understands and acquiesces in them.

Wages of
seamen left in
prison.

101a. The wages of a seaman left in prison should be credited to the date of the Consular Certificate, but he should be debited with any sums properly chargeable against him, *e.g.*, unearned wages.

102. The Master is then to pay the balance to the Consul, either in money or by a bill drawn upon the Owner, and also to deliver the effects of the seaman to the Consul. The Act requires that the payment shall be made in money or by bill. The Consul should however not receive payment by bill unless he is first satisfied that it is impossible for the master to pay in money either through his inability to raise money on loan by bottomry bond, or otherwise. When the payment is by bill, the Consul will certify on the bill that it is drawn on account of seaman's wages, and see that the seaman endorses it. The bill should be drawn at sight. The Consul will then give to the Master one of the Forms C. 12 duly receipted, informing him that he will be called upon to deliver it to the Superintendent of the Mercantile Marine Office at his port of destination in the United Kingdom; and the Consul will add to the Certificate in Appendix I. a statement of the circumstances under which the seaman has been left in his charge, specifying the amount of wages, or other property, which has been paid to the Consul, and whether it was paid in money or by bill.

Balance to be paid to Consul. Ss. 209, 210.

Form C. 12.

Certificate in Appendix I.

103. The money received on account of seamen's wages must be brought into the quarterly account current with the Board of Trade, C. 26, and duplicate Forms C. 12 sent with the account for all seamen discharged on the ground of unfitness or inability. The form should be sent in every case in which expenditure is incurred, whether any balance of wages is due or not. If the cause of unfitness or inability is injury in the service of the ship, the balance should be paid to the seaman on his recovery without deduction, except under the special circumstances provided for in paragraph 145. If the cause of unfitness or inability is not injury in the service of the ship, all expenses must be deducted from the money received, and if the seaman obtains employment in another ship or permanent employment on shore, but not otherwise, the balance may be paid to him. On making this payment the Consul will deliver to the seaman an account on Form C. 13 of the sums received and expended on his behalf, a copy of which, with the seaman's receipt for the balance, must be transmitted by the Consul to the Board of Trade, as a voucher for the payment, which is to be charged in his quarterly account current, under the head of "Balance of Wages Paid to Seamen."

Money received as wages, &c. how to be accounted for and paid. S. 210.

Forms C. 12, C. 13, and C. 26.

104. If the Consul finds it necessary to send the seaman to another port abroad in search of employment or for a passage home, the balance is not to be paid to him, but the Consul at the

If sent to another port. Form C. 16a and C. 20.

port (or Shipping Officer, if in a British Possession), is to be advised of the amount of the balance in the Form C. 16a, and the circumstances which rendered his transfer to another port necessary should be fully stated in Column 23 of Form C. 20.

If sent home under order, Form C. 16, or when wages are paid by bill.

Forms C. 12, and C. 13.

105. If the seaman is sent home under order, Form C. 16 (see paragraphs 131, &c.), or if the wages of the seaman have been paid to the Consul by bill, he is not to pay the seaman the balance, but to refer him to the Board of Trade for settlement. The bill should be sent to the Board of Trade by the earliest opportunity, with the Form C. 12, and the Board of Trade, upon receiving a copy of the account, Form C. 13, with an explanatory statement from the Consul, will, if any balance is due to the seaman, pay it to him when the bill has been realised. It is very important that the Form C. 13 should be despatched as soon as the seaman leaves the port, as any delay may cause great inconvenience. The Consul is not to make any advance to the seaman on the security of a bill.

In case of death.

106. Should the seaman die, the account is to be rendered as in the case of wages and effects of deceased seamen. Paragraphs 158 and 159.

Agreements terminated.

Agreements, &c. to be at once sent home.

Form Dis. 2.

107. When the Agreements in respect of British Ships, with the exceptions mentioned in the following paragraph, are terminated abroad, it is important that the Articles of Agreement, whether made in the United Kingdom or not, and the Official Log Book for the voyage then terminated, with the memorandum annexed to the Form of Receipt Dis. 2 herein-after mentioned, should be forwarded to the Registrar General of Seamen, London, by the earliest mail after the completion of the discharge of the crew.

The Consul is therefore requested to obtain from the masters all such Agreements and Official Log Books, and to transmit them accordingly, *except in the cases of such Colonial vessels as may not have opened their Agreements in the United Kingdom, and have not touched at a port in the United Kingdom since the Agreement was opened.* In these latter cases the Ship's papers should be sent to the Shipping Master at the Colonial Port to which the ship belongs, *provided they can be sent free of charge to the Imperial Government,* but full particulars respecting the crew should be entered in the Form C. 19a, forwarded to the Registrar General of Seamen.

Form C. 19a.

The Consul should take care that blank leaves of Official Log Books are not removed, as has sometimes been the practice, with a view to save postage.

108. In all cases of Agreements terminated abroad, when the Ship's papers have been received by the Consul, a receipt for them in the Form Dis. 2, should be given by the Consul to the Master. Receipt to be given to Master. Form Dis. 2.

As the Receipt so given will, upon the Ship's arrival in the United Kingdom, be exchangeable for a Clearance Certificate, care must be taken,—

a. That every seaman or apprentice who has been on the Articles at any time since the commencement of the Agreement is properly discharged (see paragraph 81) or accounted for.

b. That the wages and effects of all the seamen who have died in the course of the voyage are legally accounted for, and that any money due to their estates and not already paid over to an officer entitled to receive it, also any effects remaining unsold, are delivered into the Consul's charge (see paragraph 159, &c.).

c. That the entries in the Official Log Book are properly made and signed, and if any of them are imperfect, the Master's attention is called thereto.

d. That the provisions of the Merchant Shipping Act, and the instructions to Consuls, in all other respects are duly complied with, especially those which relate to the employment, passage home, and wages of seamen (see paragraph 76).

109. In cases in which the Ship's papers are forwarded to the Registrar General of Seamen it will not be necessary to enter any particulars in the Form C. 19a., beyond the name of the Ship, and the date on which the Ship's papers were sent to him. Particulars in C. 19a. when ship's papers are forwarded to the Registrar General of Seamen.

Engagement and Discharge of Seamen on board the Steam Ships of the Pacific Steam Navigation Company, exclusively employed in the Coasting Trade on the West Coast of South America.

110. In consideration of the special circumstances connected with this trade, the Board of Trade have issued special instructions to Her Majesty's Consuls on the West Coast of South America. Special instructions issued by Board of Trade.

Copies of these Instructions can be obtained by applying to the Board of Trade.

Crimps on Board British Vessels.

Crimps on
board British
vessels.

110a. The attention of the Consul is called to Sections 5 and 6 of the Merchant Seamen (Payment of Wages and Rating) Act, 1880, which are as follow :—

5. Where a ship is about to arrive, is arriving, or has arrived at the end of her voyage, every person not being in Her Majesty's service, or not being duly authorised by law for the purpose, who—

(a.) goes on board the ship without the permission of the Master before the seamen lawfully leave the ship at the end of their engagement, or are discharged (whichever last happens); or,

(b.) being on board the ship, remains there after being warned to leave by the Master, or by a Police Officer, or by any Officer of the Board of Trade, or of the Customs ;

shall for every such offence be liable on summary conviction to a fine not exceeding twenty pounds, or, at the discretion of the court, to imprisonment for any term not exceeding six months, and the Master of the ship, or any Officer of the Board of Trade, may take him into custody, and deliver him up forthwith to a constable to be taken before a court or magistrate capable of taking cognizance of the offence, and dealt with according to law.

Provisions
against
crimping to be
enforced in
certain foreign
countries.

6. Whenever it is made to appear to Her Majesty—

(1.) That the Government of any foreign country has provided that unauthorised persons going on board of British ships which are about to arrive, or have arrived within its territorial jurisdiction, shall be subject to provisions similar to the provisions contained in the last preceding section as applicable to persons going on board British ships at the end of their voyages; and

(2.) That the Government of such foreign country is desirous that the provisions of the said section shall apply to unauthorised persons going on board of ships belonging to such foreign country within the limits of British territorial jurisdiction ;

Her Majesty may, by Order in Council, declare that the provisions of the said last preceding section shall apply to the ships of such country, and, thereupon, so long as the Order remains in force, those provisions shall apply and have effect as if the ships

of such country were British ships about to arrive, arriving, or which have arrived at the end of their voyage.

The Governments of the following countries, viz. :—

Italy,
Sweden and Norway,
Germany,
United States of America,
Austro-Hungary, and
Denmark,

having under the latter section satisfied Her Majesty that provisions similar to those contained in section 5 are in force as regards unauthorised persons going on board British ships which are about to arrive or have arrived within their territorial jurisdiction, Consuls resident in these countries should take whatever steps may be practicable for ensuring that the provisions are duly put in force at their respective ports, and should report to the Local Authorities, and also to the Board of Trade, any cases which may come to their notice in which unauthorised persons are suffered to go or remain on board British vessels.

RELIEF OF DISTRESSED SEAMEN.

111. The claim of seamen to be relieved abroad and sent home is subject to the following regulations, and dependent on the following conditions; and all expenses charged to the Board of Trade by the Consul which are not authorised by these instructions will be liable to disallowal. The following seafaring persons who are shipwrecked, discharged, or left behind, and are found in distress in foreign ports are to be relieved under the direction of the Board of Trade :

Persons to be relieved.

Paragraph 258.

1. British subjects who have been engaged in British merchant ships.
2. British subjects who have been engaged in Her Majesty's ships.
3. British subjects who have been engaged in ships belonging to any foreign power which has not concluded an agreement with the British Government for the mutual relief of distressed seamen.
4. British subjects who have been engaged in ships belonging to a foreign power which has concluded such an agreement but who are excluded by the terms of the agreement from

its operation. All British subjects who are in distress in a foreign country after being engaged in a ship belonging to that country are so excluded. For instance, a British subject left behind in Germany from a German ship should be relieved, if necessary, by the British Consul, and not by the German authorities.

5. Foreign subjects who have been engaged in British merchant ships or in her Majesty's ships, except those who are to be relieved by their own Governments.*

British subjects, being seamen, requiring relief, whose last service at sea was in foreign vessels, should, if they have a right to relief, under agreement, from the Governments of the countries to which the vessels belong, be referred by the Consul to the Consuls or other official representatives of such Governments, and in any case in which the Consul may find it necessary to afford relief provisionally, application for the payment of the expenses so incurred should be made to the foreign official who may subsequently take charge of the seamen.

If no such reference to a foreign official be practicable, it will be the Consul's duty to afford all necessary relief, and to forward a report of the case, together with a statement of the expenses incurred, to the Board of Trade.*

In affording relief under the terms of the international agreements referred to, the Consul must be careful to do so in strict conformity to the conditions contained therein.

Limit of time. 112. If six months have elapsed since a seaman left his last ship he ceases to be a distressed seaman within the meaning of these instructions and is entitled to no relief whatever. Relief, however, may be extended to any seaman beyond this period provided that he came in charge either of the Consul or the local authorities within those six months, for such period as he remains continuously in the Consul's charge beyond this limit.

Stowaways. 113. Stowaways and other persons not on the Articles of a ship left in distress at the Consul's port are not entitled to relief as distressed seamen unless they have been employed or engaged by or on behalf of the permanent or temporary owner of the ship, in some capacity on board the ship leaving them behind.

* See Appendix J. for names of countries with which the British Government has concluded international agreements for relief of distressed seamen, also for copies of such agreements.

114. No seaman fit for work, even if shipwrecked, has any claim to be sent home or relieved in any way at the public expense if he refuse to work his passage home or to accept reasonable employment.

Persons
refusing
employment.

115. Distressed seamen are to be relieved upon *the most reasonable terms* possible. No higher rate is to be paid for a mate than a common seaman, and relief is only to be given until employment can be found or the seaman can be sent away.

Rate of relief.

116. Seamen falling or being sick while their ships are in port are not to be considered as on that account entitled to relief. The Consul may, however, take charge of any such sick seaman, if for the purpose of preventing infection, or otherwise for the convenience of the ship, it is considered desirable that he should be temporarily removed from the ship. Should the seaman subsequently return to his duty, the expense of removal and of providing the necessary advice and medicine, and of his subsistence while away from the ship, must be paid by the Master. If, however, he is so ill when the vessel sails as to be unable or unfit to proceed on the voyage, the Consul may sanction his discharge on the ground of inability to proceed on the voyage; but the Consul should require the Master to pay his expenses up to the date of the Consul's certificate on the articles of his inability to proceed. (See paragraph 101.)

Seamen sick
on board.
S. 228.

117. For any expense the Consul may incur at his port in respect of masters and seamen injured in the service of the ship, or for seamen discharged or left behind illegally, whether for medical advice, subsistence (including necessary clothing), or burial, the Masters and Owners are liable. If such expense is not repaid on the spot by the Master, it is to be entered in the accounts, and supported by separate vouchers, and an account in the Form C. 18 is to be transmitted to the Board of Trade, in order that the amount may be recovered from the Owner.

Men injured
in service
of ship.
Ss. 228, 229.
Form C. 18.

And men dis-
charged or
left behind
illegally.
Ss. 205, 207,
218.

118. In giving his opinion as to whether or not a case falls within the words "hurt or injury in the service of the ship," the Consul should be guided by what appears to be the intention of the Act, viz. : that a seaman shall not have to pay surgical or medical expenses incurred in consequence of hurt or injury received while in the service of the ship. In cases of accidents (wounds, bruises, burns, fractures, frostbite, sunstroke, and the like) while in the service of the ship, i.e., while serving under Articles of Agreement, there will be seldom any difficulty. Generally speaking,

Definition of
"hurt or injury
in the service
of the ship."

any accident which befalls a seaman when on board ship, or when employed in a boat, or on a tug, or on a wharf, or in a shed, or in a dock, or elsewhere ashore in the service of the ship, should be deemed to be "hurt or injury in the service of the ship," and this should hold good whether at the time he received the injury he was engaged in the performance of some specific duty, or whether at the moment he may not have been actually at work. It should further hold good, even if the hurt or injury occurs through his own fault. If, however, a seaman be on shore and not on ship's business when the accident happens, it should not be so considered. In the case of injury received through illness there will be more difficulty. There is a decision by the Queen's Bench Division, consisting of the late Lord Chief Justice Cockburn and Mr. Justice Lush, in which lasting injury caused by illness due to poisonous provisions supplied to the crew of the "Crown Prince" was held to be injury in the service of the ship. When, therefore, very serious illness is directly traceable to the default of the owner or master in not supplying proper or sufficient food, water, accommodation, medicines, or antiscorbutics (see paragraphs 94 to 155), the Consul should treat it as injury in the service of the ship. In doubtful cases the Consul should, as regards reductions from seamen's wages, be guided by paragraph 101, and should send full particulars to the Board of Trade with his accounts in order that they may decide as to applying to owners for the recovery of expenses.

Men ship-
wrecked.

119. In cases of shipwreck of British vessels, where the Master or crew apply to the Consul for assistance while engaged in remaining by the wreck for the preservation of the property or for the collection and disposal of the materials and stores, they are, while so employed, not to be considered as distressed seamen.

Clothing may
be supplied.

120. Distressed seamen may, if necessary, be supplied with clothing, but the Consul is to take particular care that they are not provided at the public expense with more clothing, or more expensive clothing than is absolutely necessary. No more expensive clothing is to be supplied to Mates than to common seamen.

Bedding.
Form C. 20.

121. No bedding is to be purchased for them, except in cases of necessity, when it should be charged under Col. 15 of Form C. 20.

Medical
assistance.

122. The Consul may provide distressed seamen, when necessary, with medical advice and medicine.

123. The Consul should request hospital authorities to inform him of all British seamen received into the hospital within twenty-four hours of their admittance. Hospitals.

124. The Consul should inform the authorities, as soon as possible, when any seaman in hospital is discharged from his ship, and make them clearly understand that until such discharge is notified by him to them, the seaman remains at the charge of the ship and not of the Consul. Discharge to be notified to Hospital Authorities.

125. In any case of unusual expense, or when the Consul considers it absolutely necessary to deviate from his instructions in relieving seamen, he must be very particular in explaining the cause in a letter accompanying his accounts. Extraordinary expense.

126. Should it become necessary to continue men in charge longer than one month, an explanation should be furnished with the Accounts. Men in charge more than one month.

Rates to be paid, and Rewards given, for Rescue and Relief of Distressed British Seamen at Sea.

127. Whenever a vessel with distressed British seamen on board, who have been rescued or picked up at sea, arrives at the port, the Consul is authorised to pay to the Master of the ship for the conveyance of such men the sum of 2s. a day for each Master, and 1s. 6d. a day for each seaman subsisted on board if she is a sailing vessel, or if she is a steam vessel 3s. a day each for Master and seaman. In the case of Lascars one half the above rates should be paid, to correspond to the rates of payment fixed by the Government of India for the subsistence and conveyance of native Indian subjects, viz., 6 annas a day in a sailing vessel, and 12 annas a day in a steam ship. Every sum paid for subsistence in cases of this nature should be entered in Column 16 of the Form C. 20, Form C. 20. and vouched for by the receipt of the Master for the amount. Conveyance of British seamen rescued at sea, and sums to be paid for conveyance and subsistence.

128. If subsistence is refused, or if there are any special circumstances connected with the rescue, the Consul should obtain particulars on the Form C. 35, and forward it to the Board of Trade in order that Her Majesty's Government may be in a position to consider the propriety of making some acknowledgment or bestowing some reward. Rewards for services rendered to British ships.

In reporting such services the Consul should be careful to always state whether subsistence has been paid or whether it has been refused, and, in the latter case, if possible, to obtain and forward a written refusal by the master of the rescuing vessel.

Rewards to
Foreigners for
services to
British ships
or British
subjects.

129. For a similar reason, the Consul will also in any case where the lives of British subjects have been saved by foreigners, or where very meritorious services have been rendered by foreigners to British ships or British subjects, report the case to the Foreign Office.

Sending Seamen home.

Seamen not
distressed.
S. 205.

130. Seamen discharged under S. 205 (see paragraphs 75, &c.) are not distressed seamen, and if sent home should be sent home at ordinary third class fares.

Seamen in
distress to be
sent home as
soon as
possible.
S. 211.

131. As soon as an opportunity offers, and it can be safely done, seamen in receipt of relief from the Consul who are unable to ship or to find employment, are to be sent to the United Kingdom, or elsewhere, as the case may require.

Ships to be
chosen for this
purpose.
S. 211.

132. For this purpose a British ship wanting men is to be preferred, so that they may, if able, work their passage home. The Consul will ascertain the want of men by reference to the number of her original crew appearing on the agreement. If such a ship can be found, they should, if fit for it, be entered upon the articles of the ship as part of her crew. If there is no ship wanting men at the place, and no immediate prospect of finding ships or permanent employment for the men, they are to be sent as supernumeraries in any British ship; so, however, that no one ship be required to take more than one supernumerary for every 50 tons of her registered tonnage.

Indorsement
on articles.
Ss. 211, 212.
Form C. 16.

133. The Consul will indorse upon the agreement of the ships in which men are sent home the name of each man put on board, specifying the day he embarks; and will also fill up, sign, and deliver to the Master of the vessel an order in the Form C. 16.

Expense, how
to be paid.
S. 212.

134. The Consul is not to pay Masters of merchant vessels bringing home distressed seamen, but is to inform them that upon their arrival at any port in the United Kingdom they are to deliver the aforesaid order to the Superintendent of the Mercantile Marine Office, properly filled up, who will pay them at the rate authorised by the Board of Trade for every man brought home in excess of the number of the crew with which the vessel last left the United Kingdom.

Balances due
to seamen.

135. Columns are provided in the Form, in which the Consul should give all the information necessary to enable the Superintendent of the Mercantile Marine Office at the port at which a

man is landed to decide at once the balance, if any, due to him, and to settle with him on the spot.

136. Where the wages are paid by bill, the same particulars should be given on Form C. 16 as in cases where the wages are paid in cash, but the fact should be noted on the Form, and the bill should be sent to the Board of Trade by the next mail.

When paid
by bill.
Form C. 16.

137. When the cause of the seaman's distress is shipwreck, his wages (see paragraph 97) should be paid to himself by the Master either in money, or by bill. In such a case, therefore, as no wages will be received by the Consul, the Money Column on page 1 of Form C. 16 will be left blank.

Shipwreck,
cause of
distress.
Form C. 16.

138. As a general rule, crews of vessels which have met with a casualty not amounting to shipwreck should not be treated as distressed seamen, unless it is clear that the vessel will be unable to proceed on her voyage after the necessary repairs; and the Consul should therefore refuse to discharge them unless the Master provides for them in one of the ways prescribed by s. 205, or unless he refuses to provide for them and it is impossible to ascertain promptly whether the vessel will be abandoned or not.

Exception.
(See also par.
119.)

In the latter case they should be sent home on the distinct understanding that should the vessel ultimately be not abandoned, the Board of Trade will recover the expenses from the owners. An endorsement to this effect should be made upon the articles, and the Board of Trade should be informed of the circumstances by a special despatch, to be followed by further information when the fate of the vessel is decided.

139. When the owners are not liable to repay the expenses or any of them incurred in respect of the seaman, and the cause of the seaman's distress is not shipwreck, his wages are chargeable with all expenses.

When wages
are chargeable
with all
expenses.

140. When the owners are liable to repay a seaman's expenses or any of them, the wages are only chargeable with such expenses as are not payable by owners.

When wages
are chargeable
with only cer-
tain expenses.

141. When distressed seamen are sent home to a port in any British Possession abroad, by a colonial or other vessel not bound to the United Kingdom, the order is to be delivered by the Master to the Shipping Officer at the port, who will deal with it according to instructions.

If sent to a
British Posses-
sion.

142. The Consul will point out to the Master of the ship in which seamen are sent home that he is bound, under a heavy

Treatment of
men on board.
S. 212 and
S. 245.

penalty, to provide them with berths effectually protected against sea and weather, and that if this is not done, and if their subsistence and treatment are not what they should be, he will not be entitled to reimbursement. He will also point out that the men sent home are subject to the same rules of discipline as the crew.

Steps to be taken in case of refusal to take the men. S. 212.

Form C. 16.

143. As without proper evidence no prosecution can be instituted with success against a Master of a merchant ship for refusing to take a seaman on board for a passage to a British port, as required by sections 211 and 212 of the M. S. A., 1854, the Consul is in all cases of such refusal to send to the Board of Trade a certified copy of the Form C. 16, addressed by him to the Master, or the original form, and any correspondence or documents also in original relating to the subject, and is also to see that the distressed seaman himself is present when the requisition is delivered to the Master, and is to desire him immediately upon his arrival at a port in this country, to present himself to the Registrar General of Seamen if that port is London, or, if elsewhere, to the Superintendent of the Mercantile Marine Office. The Consul will also give the seaman a letter addressed to the Secretary of the Board of Trade, containing a statement of the circumstances of the case, to be delivered to the Registrar General of Seamen, or Superintendent, as the case requires; on the outside of the letter is to be written a direction instructing the bearer to leave his address with the Registrar General or Superintendent, and a duplicate of the letter is to be sent to the Board of Trade by the Consul, with the original requisition, &c. above referred to.

Foreign ships may be used in cases of emergency.

144. Whenever there are no British merchant vessels in which distressed seamen can be sent to the United Kingdom or to the British Possession to which they belong, and the Consul thinks it desirable, in order to avoid expense, to engage a passage for them in foreign merchant vessels, he may do so, on the best terms he can. He should avoid, if practicable, making any payment beforehand for such passage, but should report the terms to the Board of Trade, and request the Master to apply to the Board for payment through the foreign Consul at the port to which the vessel is bound.

When injured in service. S. 228.

Owners liable to send men to certain ports only.

145. When the Master or any seaman or apprentice receives any hurt or injury in the service of the ship to which he belongs the owner is liable to pay not only his medical and subsistence (including necessary clothing) expenses, but also the expenses of his conveyance to some port of the United Kingdom, if shipped in the

United Kingdom, or if shipped in a British Possession to some port in such Possession. (*See also* para. 118.)

146. Cases will perhaps arise when it is desirable to send a man so hurt or injured, who has been shipped in the United Kingdom, to a port not in the United Kingdom, or a man shipped in a British Possession to a port not in such Possession. In such cases, however, the owners are not liable, and a man must not be sent at Government expense to one port, however desirable, if the owners are liable to pay the expense of his conveyance to another. If, however, the man desires to be sent to some port other than those to which the owner is liable to pay the cost of his conveyance, and is willing to bear the expense himself out of his wages, and the wages are sufficient to bear the whole expense, he may be sent to such port at his own cost.

If sent to another port seaman must bear the expense.

147. Foreign seamen may be sent either to the country in which they were shipped, or to their own country, whichever may be the cheapest or most convenient, and it is especially desirable that foreign seamen entitled under the terms of the agreements concluded with Foreign Governments to be sent home, should be sent to their own country, whenever such course be practicable without considerable increase of expenditure. If sent to a foreign port the Consul at that port will pay the amount of the order, C. 16, and charge it in Col. 16 of Form C. 20.

Form C. 16.

Disposal of foreign seamen.

148. As difficulty sometimes arises in finding Masters willing to give passages under the usual Consular Order C. 16 to distressed seamen suffering from mental derangement, the Consul is authorised in any such case that may arise to make a special arrangement with a Master willing to take the seaman, agreeing to pay, if necessary, such sum for the passage in addition to the usual allowance as may appear fair and reasonable under the circumstances, and with the object of ensuring that requisite care and attendance shall be given to the passenger during the voyage. A copy of the agreement so entered into should be forwarded to the Board of Trade as soon as possible in every case, and also, in any case where it is desirable to forward the seaman to a foreign port or a port in a British Possession abroad, to the Consul or the Shipping Officer, as the case may be, at the port to which the seaman is to be conveyed.

Conveyance home of lunatic seamen.

Form C. 16.

149. In the case of a seaman arriving under such circumstances at his port, the Consul may pay to the Master the amount of the passage money on production of such an agreement as described

Lunatics sent to Consul's port.

herein, purporting to be entered into between the Master and a Consul or Officer in a British Possession abroad, and upon being satisfied that the seaman has received the extra care and attendance stipulated for. An immediate advice of such a payment, together with the original agreement and the receipt of the Master for the passage money, should be sent to the Board of Trade. Such payments should be charged in the Quarterly Account with the Board of Trade.

Fraudulent
representation
by Asiatics
that they are
Distressed
British
Seamen.

150. Cases have occurred in which Asiatics by representing themselves as Distressed Seamen and Natives of British India have fraudulently obtained Consular Orders for a free passage to India.

The Consul is, therefore, requested to take every means in his power to test the truth of representations made to him by Asiatics of their being Distressed British Seamen.

He should also direct the Master of the Vessel in which he may send any Distressed Asiatic Seaman to India to hand over the man immediately on arrival in India to the police authorities, with all necessary papers and information.

The man will not be detained by the police, but they will by this means be able to ascertain his home, so that if misrepresentations have been made, the authorities will be in a position to bring him to justice.

Relief of Distressed Lascar Seamen.

Lascar seamen.

151. Expenses on account of Lascars being paid by the Indian Government, whenever a Distressed Seaman being a native of British India is relieved, attention should be called to the fact by writing against his name, in the column for remarks on the Form C. 20. the words "Native of India." The birthplace of the seaman and port of shipment should also be given.

Form C. 20.

Relief of Distressed Seamen belonging to the Dominion of Canada.

Canadian
seamen.

Appendix K.

152. Whenever a Distressed Seaman belonging to Canada, and who last served in a ship registered at a port of the Dominion receives relief, an affidavit, in the form set forth in Appendix K. which has been approved by the Canadian Government, should be laid before him for his signature. The object is to enable the Board of Trade to obtain repayment from the

Canadian Government of the expenses incurred in respect of the seaman. The affidavits should be sent home with the quarterly accounts. In any case in which the seaman is unable to make the affidavit, the reason must be stated against his name in the column for remarks in the Subsistence List, C. 20.

Form C. 20.

Relief, &c. of Masters.

153. Relief may be extended to Masters and they may be sent home in the following cases only :—

Relief of Masters.

1. *When injured in the service of the Ship.*—In such cases the owners are liable to repay all expenses, and Masters may be relieved and sent home, an account of the expenses being forwarded to the Board of Trade on Form C. 18. See paragraph 117.

S. 228.

2. *When absolutely destitute, i.e., without private property, and unable to obtain credit or private assistance.*

Form C. 13.

Masters may be subsisted at a rate not exceeding twice that allowed to seamen. Clothing of a somewhat better description than that allowed to seamen may be supplied to Masters, but no unnecessary articles are to be supplied, and the cost of such article must never exceed twice the cost of the same article supplied to seamen. It is expected that Masters relieved in these circumstances will repay expenses incurred on their behalf, and they should be required to sign an undertaking to do so, in the Form given in Appendix L.

Appendix L.

HEALTH OF CREWS.

154. The scales of medicines and medical stores which from time to time are issued by the Board of Trade are published separately and the Consul should take care that he is supplied with copies.

Medicines,
Medical Guide,
&c.
S. 4, M. S. Act,
1867.

Every ship is required to be provided with such medicines and medical stores, and also with a book containing instructions for dispensing them.

The Board of Trade have sanctioned for the purpose a book bearing the title of the "Ship Captain's Medical Guide," by the late Harry Leach, Esq., M.D., and published by Simpkin, Marshall, and Co., 4, Stationer's Hall Court, E.C.

155. Every foreign-going ship navigating between the United Kingdom and any place out of the same (except those bound to European ports or to ports in the Mediterranean Sea, and also

Lime or Lemon
Juice.
S. 4, M. S. Act,
1867.

except such ships and classes of ships bound to ports on the Eastern Coast of America north of the 35th degree of north latitude, and to any islands or places in the Atlantic Ocean north of the same limit, as the Board of Trade may from time to time exempt from the enactment) must be provided with a sufficient quantity of lime or lemon juice, or of such other anti-scorbutics, as may be directed by Order in Council, and these must be served out in accordance with the requirements of the Act.

The Owner or Master is liable to a penalty of 20*l.* for not providing anti-scorbutics as required, and the Master to a penalty of 5*l.* for not serving them out to his crew as required. The Master is further liable to a penalty of 5*l.* for failing to make the entry in the Official Log which, in the case referred to by the section, is also required.

Should the Consul in any case learn that the provisions of the Act have not been complied with, he should warn the offending Master and record the fact on the ship's articles.

Fresh provisions.

Lime juice of itself will not prevent scurvy, and the Consul should therefore take every opportunity of urging upon Masters of vessels sailing on long voyages the necessity of supplying their crews with fresh potatoes, molasses, &c., and a larger supply of fresh or preserved meats, in lieu of salt beef and pork.

Cholera.
Clothes and
Bedding to be
destroyed or
disinfected
according to
circumstances.

156. *Under Order of the Local Government Board of the 12th July 1883, ships, vessels, or boats, on board of which any person has been attacked by Cholera or Choleraic Diarrhoea during the voyage, will be detained on arrival in the United Kingdom, in order that the Sanitary Authorities may take such steps as may be considered necessary in the circumstances.

Under the aforesaid Order masters of such ships must cause any articles that may have been soiled with Cholera discharges to be destroyed, and the clothing and bedding and other articles of personal use likely to retain infection, which have been used by any person who may have suffered from Cholera on board such ship, or who, having left such ship, may have suffered from Cholera during the stay of such ship in any port, to be disinfected or (if necessary) destroyed.

The master must also cause the ship to be disinfected, and every article therein, other than those described, which may

* For copy of Order see Appendix M.

probably be infected with Cholera, to be disinfected or destroyed according to the directions of the Medical Officer of Health.

All cases of Cholera should be entered in the Official Log, and a list of all Articles destroyed.

In the case of seamen dying of Cholera at a foreign port, the Consul will give directions for the destruction of the clothing, &c. of the deceased, which should never be sent to the United Kingdom.

156a. The clothes and bedding of seamen who die of infectious diseases, *e.g.*, Small Pox, Typhus, Typhoid (Enteric) Fever, Scarlatina, Measles, Erysipelas, Diphtheria, Cholera, and Yellow Fever or Plague, are to be destroyed without delay, in order to prevent the spread of infection, except, of course, in the case of clothing or effects which have had no chance of becoming infected.

Disinfection
of the effects
of seamen
dying of
Infectious
Diseases.

Articles which it is not necessary to destroy, *e.g.*, nautical instruments, watches, trinkets, &c., should be taken care of, and, if disinfected, should be disinfected in a way not likely to destroy them.

Papers likely to convey contagion should also be at once disinfected, if it is believed that, after such disinfection, they may be safely retained. If not, they should be destroyed.

There is no difficulty in disinfecting papers, money, and money securities, but great care is necessary in disinfecting books.

In the case of property destroyed, the Consul should give a list of it, and certify that it has all been destroyed within his own knowledge, and that he has satisfied himself that no article which ought to have been destroyed has been abstracted or retained by any member of the crew or any one else.

In all cases where the effects of seamen dying of infectious diseases have been completely disinfected, the fact of such disinfection should be certified by the Consul on the forms transmitting such effects. In cases where the effects of such seamen are forwarded without having been disinfected (owing to their not having been exposed to any risk of contagion), the fact of their not having been disinfected, with the reason for the omission, should also be certified on the forms in question. (*See also* para. 166.)

Danger to
crews
allowed to go
ashore in in-
fected ports.

156b. The Consul's attention is also called to the danger of infectious diseases spreading to British Ships through the crews being allowed to go ashore in infected ports and through the use of unwholesome water shipped at such ports.

As under the provisions of Section 221 of the Merchant Shipping Act, 1854, any three or more of a crew may complain to a British Consular Officer that provisions or water are unfit for use, and the officer may thereupon cause such provisions or water to be examined, and, if necessary, condemned, it is desirable that the Consul should warn Masters of ships when he knows that any of the water supplies at his port are unsafe or unfit for use, and that he should do this in such a way as to ensure action under the section referred to should any of the water in question be taken on board for the use of the crew.

The Consul should also warn Masters when any infectious disease is prevalent at his port that they should not under the circumstances allow their seamen to go ashore.

BIRTHS AND DEATHS REGISTRATION ACT, 1874.

Ss. 37 & 54 of
37 & 38 Vict.
c. 88 (Births
and Deaths
Registration
Act, 1874).

157. Section 54, with schedule of 37 & 38 Vict. c. 88, (Births and Deaths Registration Act, 1874,) which came into operation on 1st January 1875, repeals sections 273 and 282 of the "Merchant Shipping Act, 1854," so far as they relate to the entry of any birth or death. It also repeals section 16 of the "Passengers Act, 1855," from "and the said Master shall note in writing" down to "An Act for Registering Births, Deaths, and Marriages in England," and section 100 of the same Act from "such Emigration or Customs Officer" to the end of the section, which sections thus repealed provided for the insertion of particulars of births and deaths in the passengers' lists and their transmission to the Registrar-General of Births, Deaths, and Marriages.

Section 37 (1) of the same Act provides for the Captain or Master of a Merchant vessel recording "in his log book or otherwise" the birth of a child or the death of a person on board ship, together with certain other particulars; and on the arrival of the ship in the United Kingdom or elsewhere "a return of the facts so recorded" must be forwarded to the Registrar-General of Shipping and Seamen "in such form and manner as the Board of Trade may direct." The Board of Trade have accordingly directed that the return shall be made in the form given in the Official Log Book, to be forwarded in due course to the Registrar-General of Shipping and Seamen.

Section 37 (3) enacts that the Board of Trade "may, if they think fit, direct" that the said return of births and deaths be delivered "upon the arrival of the ship at any port or place out of the United Kingdom" to the principal British Consular Officer at the port or place for the purpose of being transmitted to the Registrar-General of Shipping and Seamen.

The Board of Trade have accordingly directed that upon the arrival of the ship at any port or place out of the United Kingdom a copy of the record must be delivered to the principal Consular Officer for the transmission of a return of the entry to the Registrar-General of Shipping and Seamen.

These sections and schedules, the portion repealed being shown in italics, may be found in Appendix N.

Appendix N.

On a vessel touching at his port, the Consul should ascertain that the requisite particulars of any births or deaths which may have occurred on board ship since the voyage commenced have been properly inserted by the Master in the Official Log Book, and should, if the Master have not already delivered it to him, demand from the Master a return, filled in on the appropriate form, of these particulars for all births and deaths which do not appear by entries in the last two columns of the tables printed in the Official Log Book to have been previously reported at an intermediate port.

Copies of the Forms Eng. 8, 9, and 10 provided for this purpose, which are fac-similes of the tables printed in the Official Log Book, will be supplied upon application in the usual manner.

Forms Eng. 8,
9 and 10.

To prevent duplication of returns the Consul should in every case in which the particulars are duly reported to him by the Master note the fact in the tables of the Official Log Book.

In the event of a Master failing or refusing to deliver the return in question after it has been demanded the Consul should enter the fact in the Official Log Book and report it to the Board of Trade.

The Consul should also point out to the Master the penalty to which under section 37 (8) of the above Act he will render himself liable on his return to the United Kingdom.

Penalty for
refusing or
failing to
deliver return.

DEATHS ON BOARD BRITISH SHIPS.

158. Whenever a death happens on board a British ship, whether in the case of a British subject or of a foreigner, the Consul should inquire into the cause of the death and the circumstances attending

Consul to
inquire into
cause of death,

it, using, if necessary, the powers mentioned in paragraph 40 of his Instructions, and report the result to the Registrar-General of Seamen; or should any serious complaint be made by the Master or any of the crew as to the manner in which the deceased lost his life, he should summon a Naval Court (see paragraph 184), when, if it appears that the death has been caused by violence, ill-treatment, neglect, or other improper means, he should be guided by the Instructions relating to Naval Courts and also by paragraphs 185 to 200 and paragraph 291.

Wages and Effects of deceased Seamen.

Master to account for wages and effects of men dying during a voyage.
S. 194.

159. The Act makes careful provision for the collection and distribution of the wages and effects of seamen who, being engaged or sent home in a ship which is to terminate her voyage in the United Kingdom, die before the voyage is completed. To effect this it is provided, that in all such cases the Master is to take charge of all money, clothes, and effects which the deceased leaves on board; and if the clothes and effects are of such a nature as to deteriorate in value by being kept, he may cause all or any of the said clothes and effects to be sold by auction at the mast or other public auction, and is to sign an entry in the Official Log Book containing the following particulars; (that is to say,)

(a.) A statement of the amount of the money, and a description of the effects so left by the deceased:

(b.) In case of a sale, a description of each article sold, and the sum received for each:

(c.) A statement of the sum due to the deceased as wages, and the total amount of the deductions (if any) to be made therefrom;

And is to cause such entry to be attested by a mate and by one of the crew.

In certain cases of death at sea the Consul is to demand and receive the wages, &c.
S. 195.
Form C. 15.

160. If ships touch, and remain 48 hours, at a foreign port, the Consul will inquire whether any seaman has died during the voyage, or at the port. In cases where such a death has happened, and the Consul after inquiry finds that the vessel is bound direct or will shortly return to the United Kingdom, he will not demand the wages and effects unless special circumstances render it expedient; but when the Consul finds that the settlement of the claims of relatives will be unduly retarded if delivery of the wages, &c., by the Master is delayed till the arrival of the ship in the United Kingdom, he will (except in the case of Lascars herein-after mentioned) require from the Master the payment of the

wages of the deceased, either in cash or by bill on the owners, and the delivery of his effects or of the proceeds of the sale of them. An account in the Form C. 15 must be delivered by the Master to the Consul, who will compare it with the agreement and Official Log Book, and allow only such deductions from wages as are just and lawful, placing his initials against such deductions in the column set apart for that purpose in the form. He will be careful also not to allow any deductions in respect of any payment made in contravention of section 2 sub-sections (1) and (2) and section 3 (sub-section 4) of the Merchant Seamen (Payment of Wages and Rating) Act, 1880. The Consul will S. 196. point out, if necessary, the heavy penalties to which Masters are liable should they make default in accounting for wages, &c., and he will report to the Board of Trade every case of such default, and indorse on the articles of the ship a notice thereof.

The money, wages, and effects of Lascar seamen dying in the course of any voyage the agreement for which is terminable at an Indian Port are to be accounted for on arrival at that port. The Consul should, however, endorse the agreement to the effect that the death has been noted by him, and that the property will be accounted for at the proper time and place. Deaths of Lascars.

161. The rules for determining whether expenses attendant on illness or death are to be borne by the owner or to be deducted from the wages of the seaman will be found in section 228. The charges for burial are often exorbitant, and the Consul will, in accordance with the said section, be careful to disallow so much of any such charge as is not "reasonable." Expenses attendant on illness or death. S. 228.

162. A Master has no power at law to detain a seaman's effects in order to cover advances made to him, and in cases where effects have been sold on board, the proceeds of such sale must be handed to the Consul without deduction. Advance no charge on effects.

163. Upon receipt of the money and effects, the Consul will indorse upon the agreement of the ship a certificate stating the sum of money and specifying the articles received by him. The account in the Form C. 15 he will transmit with his accounts to the Board of Trade, crediting the Board of Trade with the amount in his account current under "Receipts in respect of Deceased Seamen." If he has not demanded and received such wages and effects he will make an indorsement on the agreement of the ship to that effect. Consul to give receipt. S. 195. Form C. 15, and C. 33.

- Effects, how to be dealt with.**
Form C. 17.
- 164.** In general, it will be desirable for the benefit of relatives that seamen's effects should be sent home, and in such cases the Consul will endeavour to send them free of expense, and with as little delay as possible. They are to be addressed to the Superintendent of the Mercantile Marine Office at the port in the United Kingdom to which the vessel conveying them is bound, together with a Form C. 17 filled up and directed to him, and an indorsement of the fact of their being on board is to be made on the articles of that vessel.
- Effects may be sold under certain circumstances.**
Form C. 15.
- 165.** Such effects, however, as are likely to deteriorate by being kept should be sold, and effects may be sold when undue delay or expense would be caused by sending them home; but in all such cases the Consul will indorse on the Form C. 15 his reasons for the sale. Documents found amongst the effects should be transmitted direct to the Board of Trade with the Form C. 15.
- Disinfection of effects.**
- 166.** Such effects of seamen dying of contagious or infectious diseases as are likely to convey infection should be at once destroyed; and other articles, such as letters, trinkets, &c., should be thoroughly disinfected before being forwarded to the United Kingdom. (*See also paras. 156 and 156a.*)
- Form C. 15.**
- The disposal of the effects in such cases should be fully described in Form C. 15, and the expense of disinfecting articles sent home should be charged against the estate of the deceased seamen.
- Money and effects of seamen belonging to a British ship dying at the port.**
S. 195, 197.
S. 20 of 1862.
- 167.** When any seaman belonging to any British ship, or when any seaman who within six months of the time of his death belonged to a British ship, dies at the port, leaving money or effects on shore, the Consul will claim and receive such money and effects. The money he will credit to the Board of Trade in his account current under the head of "Cash received for proceeds of sale of effects, &c. of seamen who have died in charge." The effects are to be dealt with as in ordinary cases. For every seaman so dying a separate account of receipts and expenses should be made out in Form C. 14, and sent to the Board of Trade, whether any balance is due to the estate of the deceased seaman or not.
- Form C. 14.**
- Wages and effects of seamen dying in the Consul's district, S. 197.**
Form C. 25.
- 168.** An account on Form C. 25 of the proceeds of the sale of the effects belonging to and money in possession of such seamen dying in the Consul's district is to be sent to the Board of Trade with the account current.
- Seamen's wills.**
S. 200.
- 169.** The Consul will observe and point out to those who are interested, that in order to entitle persons claiming under a seaman's will to receive his wages and effects from the Board of

Trade, it must be shown that the will, if executed on board ship, was executed in the presence of and attested by the Master or Mate, and if on shore, in the presence of certain official persons mentioned in the Act.

170. The foregoing instructions relate to all persons employed in the service of any British ships, except Masters. Their effects, if they die in foreign ports, are to be treated in the same manner as those of other British subjects. If, however, they have Certificates of Competency or Service, these should be sent to the Registrar-General of Seamen, London, or to the Government of the British Possession by which they were issued. Estates and effects of Masters.

171. The British Government have agreed with the Governments of France, Germany, Sweden and Norway, to deliver to their respective Consuls General in London the wages and effects received by the Board of Trade under the provisions of the Merchant Shipping Act, 1854, of seamen belonging to those countries who have died on board British merchant vessels, and these Governments have on their part agreed to deliver to the nearest British Consul the property of British seamen dying on board their merchant vessels, or on shore in their territories. The Consul will, therefore, report to the Board of Trade the particulars of the deaths of such British seamen, receive their wages and effects, deal with them, and account for them to the Board of Trade, as if the seamen had belonged to British ships. Effects of foreign seamen, French, German, Swedish and Norwegian.

Copies of the notes on the subject exchanged between the British Government and the Governments of France, Germany, and Sweden will be found in Appendix O.

172. Declarations have been made between the British Government and the Governments of Denmark, Italy, and Russia relative to the disposal of the estates of deceased seamen, of which copies will be found in Appendix O. The Consul will hand over the property of deceased Danish and Italian seamen (as provided for by the terms of the Declarations aforesaid) to their respective Consuls, and will account for the property of British seamen received from the Governments of Denmark, Italy, and Russia, as if the seamen had belonged to British ships. Danish, Italian, and Russian.

In the case of a Russian or Finnish seaman dying on board a British vessel the property should be transmitted to England—the money to the Board of Trade, and the effects to the Superintendent of the Mercantile Marine Office, London, for delivery to the Russian Consul-General in London. Appendix O.

DISCIPLINE.

General duties. 173. The Consul's duties under this head are extremely important, but as the mode in which he must act must depend, in a great measure, upon the country in which he is, and the position and powers there given to him, it is impossible to lay down general rules which will meet every case, and he must be guided by his own discretion, and by such particular instructions as may be given him from time to time. Section 243 contains a list of the principal offences committed on board ships, and their respective punishments; but throughout the whole of the 3rd part of the Act will be found provisions bearing more or less on the subject of discipline; and upon the various questions which arise between a master and his crew.

S. 243.

Though the Consul has no magisterial power he has the right to withhold his sanction to the discharge of a seaman, and authority to summon a Naval Court.

These powers, if properly exercised (or if not exercised the possession of them), should be sufficient to enable the Consul to exercise a very considerable influence in settling disputes between masters and their crews, and may practically afford a means of punishment of many minor offences by an arrangement between the parties that certain deductions should be made from wages, or certain sums should be paid as compensation. It will be for the Consul to decide whether it is fit and proper in the circumstances of each case that it should or should not be settled without reference to a Naval Court. He will be able to point out what fines or penalties provided by the Merchant Shipping Acts are applicable, and will also, in many cases, have an additional guide in the terms of the agreement which specify fines for certain offences. But he should always remember that the consent of both parties is necessary to such settlements, and that his position is that not of a magistrate but of an arbitrator.

In grave cases, however, which the Consul feels involve great responsibility, he will do well when practicable to avail himself of the assistance of a Naval Court (see paragraphs 184 to 200, also Instructions relating to Naval Courts.)

Desertion.

Recovery of
deserters,
Foreign De-
serters Act,
1852.
15 Vict. c. 26.

174. Arrangements in the shape of Treaties, Conventions, Agreements, Declarations, and Notifications, have been entered into between Great Britain and most of the Foreign Powers (as shown in Appendix P.), for the mutual surrender of seamen, not being slaves, who desert from Merchant Ships of either of the contracting Parties at ports situated in the Territories or Colonies of the other.

In the event of the desertion of a seaman or apprentice from a British Ship at a port in the Territories or Colonies of any of the Countries named in the Appendix, or where without a treaty the Local Authorities are willing to lend assistance, the Consul may, if satisfied of the justice of the case, apply to the Local Authorities to assist in the apprehension, and compulsory conveyance on board his ship of such deserter.

Recovery of deserters.

These Arrangements, &c. do not apply, however, to deserters from British Ships who are subjects of the country where the desertion takes place.

175. Whenever a seaman is left behind on account of desertion, an entry of the desertion must be made in the Official Log-book, and must be signed by the Master and also by the Mate, or one of the crew. This entry in the Log-book must be shown to the Consul and he will then examine into the allegation of the desertion so made; and if after full inquiry he is satisfied that it is correct, but not otherwise, he will indorse upon the agreement a certificate, in accordance with the provisions of s. 207. in the form in Appendix Q.

Further steps in case of desertion. S. 244 & S. 207.

Form in Appendix Q.

The Consul will then make copies of the entry in the Official Log-book, and of the Certificates so indorsed by him upon the agreement, will certify the same to be true copies, seal them with his official seal, and transmit them by the first opportunity to the Registrar General of Seamen, in order that they may be produced in evidence, if required.

If the evidence of desertion rest upon the master's unsupported statement or otherwise appear insufficient an endorsement should be made to the effect that the seaman *is reported* as missing or as a deserter, but the Consul should not pledge himself to the truth of the report.

175a. The question has occasionally arisen in reference to Section 253 of the Merchant Shipping Act, 1854, whether a Consul upon receiving an intimation from the Owner or Master of a vessel that a seaman has deserted, has power to withhold, pending legal proceedings, wages earned by such seaman subsequently to the desertion.

Wages of deserters earned subsequently to desertion.

A Consul has no such power, and he should therefore decline to interfere in the matter.

Misconduct of Masters of Colonial Vessels.

176. Part III. of the Merchant Shipping Act, 1854, is by section 109 made applicable to all ships registered in any of Her

Application of M. S. Acts to Colonial vessels.

Majesty's Dominions, and sections 518 (paragraph 5), 519, and 520 of the same Act, and section 21 of the Merchant Shipping Act Amendment Act, 1855, provide for the punishment in any British Possession of offences under the Imperial Act.

Consuls to report non-compliance with sections of the Act quoted.
Sects. 159, 160, 205, 206, 207, 209, 210, 211, and 212.

177. Any serious instance of refusal or neglect on the part of a Master of a Colonial vessel to comply with the provisions of the sections of the Merchant Shipping Act, 1854, which are noted in the margin, should be reported at once to the Government of the British Possession in which the vessel is registered, as well as to the Board of Trade if the vessel trades to the United Kingdom, in order that steps may be taken to punish the offenders.

Interference of Foreign Courts of Justice.

Interference of foreign courts.

178. In considering how far the interference of Foreign Courts should be allowed or invoked, the first question to be looked at is whether there are any treaties on the subject existing between this country and the country in which the Consul is acting. To the express stipulations of such treaties, all general rules of international law are subject; and the Consul will therefore be guided by them in the exercise of his own functions, and will call upon the Local Authorities to act in accordance therewith.

In the absence of such treaties between this country and a Foreign country, the Consul should remember that it would be difficult to contend that the Courts of the Foreign country may not have some jurisdiction in questions of wages, and of breaches of contract between masters and crews of British ships arising in such country, or in questions of discipline involving criminal offences committed within that territory. But such jurisdiction is of a very limited character, and it is the natural, usual, and most convenient course that these questions should be settled by the Consul, and that the local authorities should not interfere without reference to him, nor without reason to believe that he is unable to arrange a satisfactory settlement.

In the United Kingdom the Court of Admiralty will entertain a suit for wages due from a Foreign ship, but only in cases where without such jurisdiction there would be a total failure of justice; nor will the Court do so then without giving full notice to the Consul of the country to which the vessel belongs.

Criminal proceedings for breach of discipline on board Foreign ships cannot be instituted in the United Kingdom except for

offences amounting to crimes committed in this Country or under the Extradition Acts.

The Consul will bear in mind the principles stated above whenever there seems to be reason to complain of undue interference on the part of local authority in connexion with offences committed on board a British ship, or matters arising out of contract with the crew.

179. Subject to any such treaties as aforesaid, the Consul will remember that every country has the right of enforcing its own criminal law and police regulations in its own ports and harbours, and that if any offence against such laws or regulations is committed in such ports or harbours, on board a British ship, the offender is liable to be dealt with accordingly. In such cases the Consul's duty will be confined to seeing that the offender is fairly tried, and that justice is properly administered. If the laws or regulations of the place are in fault, it will be a matter for representation to the British Minister in the country, or to Her Majesty's Secretary of State.

Local police laws and regulations.

180. In cases where the offence is one which is punishable both by the law of the place as above mentioned, and also by British law as mentioned in paragraph 186, and when the local authorities are willing to interfere if required by the Consul to do so, but not otherwise, he will consider whether the ends of justice will be best met by calling for such interference or by sending the offender to trial in some British Court of Justice. The questions he will have to consider are,—which is the speediest and most certain mode of obtaining justice,—which course is the best for the convenience of the ship and the witnesses,—and above all, whether the principles and practice of the Foreign Court can be relied on, and whether its proceedings and modes of punishment are such as would be considered proper and humane in this country.

Offences punishable both by the local and by British law.

181. In any case in which, from whatever cause, any British seaman is committed to prison or otherwise punished in any Foreign country, the Consul will see that the place of confinement and mode of treatment is such as would, in this country, be considered proper and humane; if it is not he will report the case to the British Minister in the country, or to Her Majesty's Secretary of State.

Imprisonment in foreign ports.

182. Subject to the exceptions mentioned above, the Consul will remember that, according to well-established rules of international law, a British ship carries British law with her, and that all offences

Except as above-mentioned a British ship carries British law with her.

committed on board such ship on the high seas, and all mere breaches of discipline in Foreign ports, as well as all matters arising out of the contract with the crew, are to be judged of by British law. In some Foreign countries the Local Courts of Justice will take notice of, and adjudicate upon, such contracts; but in these cases it is usual for such Foreign Courts to act, in the case of a British ship, not according to their own law, but according to British law, so far as the construction of the contract is concerned. Except in cases where the Consul cannot settle the matter otherwise, it is extremely undesirable that disputes between the Masters and crews of British ships should be taken into Foreign Courts; but whenever this is done, the principles above mentioned should be adhered to. The Consul should explain the British law; and if this is not followed, he should report the case to the British Minister, or Her Majesty's Secretary of State.

British seamen
serving on
board foreign
ships.

183. In cases where British seamen are employed in Foreign ships, the Consul will remember that in accordance with the principles mentioned above, they are, whilst so employed, subject to the law of the country to which the ship belongs, and not to British law. If, therefore, the Consul is called upon to interfere in their behalf, he should, either in applying to the local authorities, or in taking any other steps that may be necessary, endeavour to obtain the assistance of the Consul of the country to which the ship belongs.

Naval Courts.

Cases for, and
mode of
summoning,
Naval Courts.
S. 260.

184. The power of summoning these Courts is given to Consuls in the absence of any officer commanding one of Her Majesty's Ships, and in cases where such an officer is at hand, the Consul should, if he considers there is a case for a Naval Court, apply to such officer, or refer the parties to him.

In judging whether the case is one which requires a Naval Court or not, the Consul must use his discretion. In cases of quarrels between the master and crew, he will not incur the trouble and expense of such a Court, when he thinks that the matter is a trifling one, or that it can be settled satisfactorily by his own arbitration. But if the general state of discipline in the ship is very bad, or if the charges made involve important nautical questions, or if powers are necessary which the Consul alone cannot exercise, he will do well to summon a Naval Court; and he will remember that the acts of such a Court, if in accordance

with the Act of Parliament, will be recognised by British Courts of Law, whilst the powers of Consuls are extremely undefined, and their acts will frequently have no validity or effect in case of any subsequent legal proceedings.

In cases where the removal of a Master or the compulsory discharge of any of the crew appears to be necessary, the Consul will almost always find it desirable to have recourse to a Naval Court.*

Crimes committed on the High Seas and Abroad.

185. Crimes committed on the high seas on board any British ship, and offences against property or person committed at any place in foreign countries by any person who at the time of the commission of the offence belongs to any British ship, or by any British subject who has within the previous three months belonged to any British ship, are subject to the same punishments, and may be tried in the same manner as if they had been committed within the jurisdiction of the Admiralty in England, that is to say, according to the common criminal law of England.

Mode in which such offences may be tried, if committed by persons belonging to a British ship. S. 267.

186. The Consul will, however, remember that, subject to any special provisions made by Treaty, offences against the municipal law of any country, committed within the limits of that country, although committed on board a British ship, and by British subjects, whether they may be tried according to British law or not, are certainly liable to be tried by the courts and according to the law of that country. The Consul will also remember that persons committing offences on board a foreign ship, though British subjects, are liable to be tried by the law of the country to which the ship belongs. (See paragraphs 178 to 183.)

Jurisdiction of foreign courts.

187. Upon a complaint being made to the Consul of any offence against British law having been committed on the high seas or abroad, or if without complaint he becomes aware of any serious offence having been committed on board a British ship, he may inquire into the case upon oath, and may summon witnesses before him for that purpose, and if there is evidence which in the opinion of the Consul is sufficient to substantiate the charge, he may send the offender to some place in the British dominions at which he can be tried. As prosecutions in such cases have often failed for want of observance of the requisite formalities, or for want of

Proceedings to be taken by Consul.

* For further information see Naval Court Instructions. See also Paragraphs 173 and 185 to 200 of these Instructions.

evidence, or for the want of a prosecutor, or of witnesses, and as sending home prisoners involves very serious expense, the Consul will be careful to observe the following rules.

Offenders to be sent home in aggravated cases only ;

188. The Consul *will not send home* the offender at the public expense, unless the crime is murder, attempt to murder, piracy, slave trading, manslaughter, aggravated assault, wilful destruction of the ship, deliberate and concerted mutiny, or some other offence of a very serious nature involving risk to the life or welfare of others.

or where an undertaking is given for the expenses.

189. In cases of petty theft, and also in cases of insubordination and of other crimes of that description, the Consul will in no case send the offender for trial, unless the master or agent of the ship, or some other person against whom the offence has been committed, undertakes to prosecute and to pay the expenses of sending home the offender and witnesses. This undertaking must be such as to be satisfactory to the Consul, and must be forwarded by him to the Board of Trade.

Witnesses must be sent.

190. *The Consul must in no case send an offender for trial unless he at the same time sends the necessary witnesses to give vivâ voce evidence at the trial*, or is satisfied that they are about to proceed to the place where the trial will be held. Sending the witnesses, however, must not interfere with his sending the depositions, as hereafter mentioned. (Paragraph 200.) The Consul should indorse on the agreement of the ship conveying the witnesses, their names, and a short statement of the circumstances in which they are sent home.

To what place the offender is to be sent.
S. 268.

191. In deciding to what place the offender shall be sent for trial the Consul will be guided by circumstances. In general cases he will send him to Great Britain ; but if there is any British court of justice capable of trying the offence to which the offender and witnesses can be sent more cheaply, speedily, and conveniently, he will send them to the British Possession in which such Court is situate.

Offender to be sent in vessels bound to the country where they are to be tried.

192. Care should be taken that when an offender is sent for trial in the United Kingdom, the vessel chosen for his conveyance is bound to the United Kingdom, or when for trial in a British Possession the vessel is bound to that British Possession, as if the vessel is bound elsewhere there is no power to transfer him in custody to another ship to complete the voyage, the order of the Consul or Naval Court being exhausted on the arrival of the vessel at her destination.

193. In all cases a formal Order signed by the Consul or the Naval Court, specifying the prisoner's offence and the direction of the Consul or the Naval Court, should be sent with the offender, and it must be delivered *by the Consul or his representative* to the Master of the vessel in which the prisoner is to be conveyed, and further, the prisoner must be given into the Master's custody, and the attention of the Master be called to the fact that the Order is for the conveyance of a prisoner. The Consul should indorse on the agreement of the ship in which the offender is conveyed the fact of his having been delivered to the custody of the master, and state the nature of the charge preferred against him.

Conveyance Order to be delivered to Master, and his attention called to its substance.

194. If there is any Queen's ship, the officer in command of which is willing to receive the person to be sent for trial, the Consul will avail himself of the opportunity. If not, he will send him in the first British merchant ship which can take him, but he must not send more than one prisoner for every 100 tons, or more than one witness for every 50 tons of the ship's registered tonnage.

In what ships they are to be sent.
S. 268.

He will point out to the master of the ship in which the prisoner is sent that he is bound, under a penalty of 50*l.*, to afford a passage and subsistence to every offender and witness so sent, and upon the ship's arrival at the place to which they are sent, to give the offender in charge into the custody of some police officer or constable, so that he may be taken before a magistrate, to be dealt with according to the Act. He will also point out to the Master how he is to be reimbursed. (See paragraph 195.)

195. The Consul will take such means as may be in his power for detaining the offender until he can be so sent as aforesaid, and will, if necessary, maintain the witnesses until they can be sent.

Offenders and witnesses to be kept in the meantime.

No deduction will be made from wages belonging to offenders or witnesses on account of expenses necessarily incurred for their subsistence or conveyance.

Such persons are not distressed seamen, and are not entitled to be conveyed under the terms of section 211 of the Merchant Shipping Act, 1854. Whenever, therefore, offenders and witnesses are sent to the United Kingdom or other British Possession by any British ship (other than that to which the parties may have belonged) the Board of Trade will allow, if the conveying ship be a passenger ship, the ordinary third class fare for each passage afforded, and in the case of conveyance by vessels having no rates for the conveyance of passengers, the Consul will make the best arrangement practicable as to payment for the passages.

Rates allowed for their conveyance.

If in the conveyance of any offender special precautions involving to the conveying ship extra expense and inconvenience are necessary to ensure his safe custody, it will rest with the Consul to arrange for the payment of such a sum in addition to the fare as may be thought fair and reasonable.

All payments in respect of passages will be made upon the completion of the voyage, and the Board of Trade or authorities in British Possession abroad, as the case may be, should be promptly informed of the terms upon which passages have been provided.

Deposition
before Consul.
S. 270.

196. In certain cases depositions taken before Consuls are made receivable as evidence in British Courts of Justice, though it is doubtful how far they can be relied on, and whether a jury would attach any weight to depositions taken in the absence of cross-examination, but in order that they should have any effect it is essential that all the requirements of the Act should be strictly complied with, and that the utmost possible care should be taken for that purpose; and in receiving and forwarding the depositions with this object, the Consul should attend particularly to the following rules.

Depositions,
how to be
taken.

197. The depositions should always be taken down in writing at the time they are made, and when the examination of the witness is concluded, should be read over and signed by him, and should be authenticated by the signature of the Consul. The deposition should be headed by a statement in writing, under the hand of the Consul, of the name and description of the deponent, and of the matter in which it is taken, including in criminal cases the name and description of the accused, and the charge made against him. The Consul should also state distinctly in writing that the deposition is made before him, and in criminal cases that it is made in the presence of the accused.

If made in
foreign
language.

198. When witnesses make a deposition, or give evidence in any other language than English, it should be through a competent interpreter, sworn to interpret truly, and the name of the interpreter, and the fact that he was so sworn, should be stated on the deposition, and certified by the Consul. The examination should take place through the interpreter after he is sworn, and should be taken down by the Consul in English, and signed by the interpreter.

Facilities for
cross-examina-
tion, &c., to
be given to

199. Where the case involves a charge against any person, the examination should always take place in the presence of the accused. Each witness's evidence, when completed, should be

distinctly read and explained to the accused in his own language, and he should be told by the Consul that he may put any questions he thinks proper to the witness, and that the substance of the questions and the answers will form part of the evidence. If he puts any questions, the questions and answers should be taken down in English, and form part of the examination. This also, when necessary, should be done through a sworn interpreter.

200. The original depositions, and not copies, must in all cases be sent, and they must be sent at as early a period as possible. If the trial is to be in the United Kingdom, they must be sent to the Board of Trade, with a letter stating the substance of the case. If elsewhere, the depositions will be sent accordingly.

Originals to be sent.
S. 270.

WRECK AND SALVAGE.

Wrecks and Casualties.

201. There is no enactment or law expressly requiring Masters of British ships which have suffered wreck or damage to report to the Consul, but they will almost invariably do so for the purpose of making a protest, if not for the purpose of claiming assistance; and even if they should not, the Consul will scarcely fail to be informed of the occurrence.

Notice of wrecks, losses, &c.

202. Whenever any British ship is wrecked, lost, or abandoned within the limits of the Consulate, it will be the Consul's duty to give every assistance in his power towards saving the lives of those on board, and preserving the property for the owners. The particular steps to be taken for this purpose will depend on the circumstances of each case, and on the powers which he may possess under treaties, or under the laws of the country in which he is acting. He will endeavour to obtain the assistance of the local authorities if necessary, and he will also endeavour to have that assistance rendered in such a shape and to such an extent, and to such an extent only, as may be for the interest of the owners or insurers.

Consuls to give assistance.

203. In countries where the British Consul is authorised by treaty to interfere in matters of wreck and to claim wrecked property he will, so far as the treaty permits, require the local authorities to allow him to act accordingly, and to prevent the interference of improper and unauthorised persons. He will also

Interference authorised by treaty.

demand the restitution of property saved, subject to salvage and other proper expenses. If any difficulty is thrown in his way, contrary to the spirit of the treaty, he will represent the case to the British Minister or to Her Majesty's Secretary of State.

Consul not to interfere with masters or agents.

204. If in cases of wreck or casualty the Master, or any other competent officer of the ship, is present, the Consul will not, unless there is reason to suspect foul play, interfere with any steps they may take for saving the ship or cargo, but will give such assistance as may be in his power. In like manner, if any other authorised agent of the owners is present, he will permit him to take the necessary steps, merely giving his assistance. The Consul will, however, on the one hand, consider himself bound to do whatever may be necessary with the local authorities, and will, on the other, require the Master or agent to pay any expenses which he (the Consul) has properly incurred.

Assistance to persons on board wrecked vessel.

205. He will give all necessary assistance to the persons on board the wrecked vessel. In cases of death he will endeavour to ascertain their identity, will see that they are buried, and will report their names and description to the Board of Trade. The Consul's further duties in respect of the crews of shipwrecked vessels are mentioned in paragraphs 119 and 137.

Salvage expenses.

206. The Consul will give his best assistance in settling the claims of salvors. The crew of the ship are not entitled, according to British law, to make any claim as salvors. The claims of other salvors at the place will be determined *according to the law of the place*.

Voluntary agreement for salvage.
S. 497.

207. The Consul will notice that where the salvor, whether a person employed in Her Majesty's service or not, and the master of the ship saved, can agree between themselves for the purpose, they may enter into an agreement, which will have the same effect as the bond mentioned, in paragraph 223 to be used in cases of salvage by Her Majesty's Ships. This agreement need not be entered into before the Consul, and he need not, necessarily, have anything to do with it; but it is desirable that he should be aware of the effect of such agreements, and should be able to point out to parties interested a mode of settling disputes, which may often prevent unnecessary detention and annoyance.

Consul to claim and preserve goods.

208. If parts of the ship or goods are washed on shore or otherwise found out of the custody of the master or crew, the Consul will, so far as he is able, claim and keep the goods for the owners

or insurers or their agents; he will communicate with Lloyd's Agent, and he will do his utmost to co-operate and act in harmony with him; he will give to the owners notice of the wreck and of the goods in his possession, and will deliver or deal with them subject to the payment of proper fees and expenses, as the lawful claimants may direct.

209. The Consul's duties with respect to wrecked goods, apply not only to vessels stranded within the bounds of the Consulate and their cargoes, but also to any portion of such ship or cargo which may be brought into the Consulate in consequence of any wreck or disaster at sea. Goods lost or damaged at sea.

210. If any papers, such as charter parties, bills of lading, ships' articles, &c., are found, the Consul will collect them, and after marking them and keeping a note of them, will restore them to the owners. For this purpose the Consul may send them either to the Board of Trade, or otherwise, as he thinks best. Papers saved.

211. The Consul will, at the earliest opportunity, communicate any particulars relating to the wreck or damage of British Ships and their cargoes to the persons interested. This may be done either directly or through the Board of Trade, if the parties reside in this country, or in any other way the Consul may think best. Communication to interested parties.

212. In cases in which wrecked property comes into the possession of the Consul, and neither the Owner nor the Master nor any authorised agent can be found or communicated with, the Consul may, if the case requires it, sell the property, or such part of it as is perishable or not worth the expense of warehousing for the benefit of those interested; but in such cases, neither the Consul nor those employed by him must be interested to any extent directly or indirectly in the purchase of the articles. If the lawful claimants cannot be found, and the property is not claimed by the Local Authorities, he will, after the expiration of a reasonable time sell the property, and remit the proceeds to the Board of Trade, to be dealt with as Droits of Admiralty. Prior to such sale notice should be given to Lloyd's agent for the district in order that he may have an opportunity of consulting the Underwriters concerned. Sale of wrecked articles.

213. The Consul will interpose his good offices with the Local Authorities to obtain the reduction or remission of duties on goods, which on account of shipwreck or jettison, it is necessary to sell in the country. In this he will be guided by the treaties, and will bear in mind that the principle adopted in this country, Admission of wrecked goods for consumption.

and which Her Majesty's Government would wish to see universally adopted, is that such goods should be admitted for consumption in the country where the wreck takes place, to the same extent and on the same terms as if they had been imported in a ship belonging to that country.

General
average.

214. When cases of general average occasioned by jettison are brought before the Consul, he will take all the means in his power to ascertain if the jettison was necessary, and the loss thereby occasioned real ; and if he has any reason to suppose that any fraud or improper act has been committed by the Captain or crew to the injury of the Owners, or Insurers of the ship or cargo, he will take steps to inform them, and to enable them to procure the requisite evidence. He will also report the case to the Board of Trade, sending the depositions or other evidence in manner mentioned in paragraph 200.

Fees and
expenses.
Appendices
R. and S.

215. Fees to be charged by the Consul for services in respect of wreck or damage are those mentioned in paragraph 254 and Appendices R. and S. (Tables of Consular Fees) : no other charge is to be made except for expenses actually incurred.

Certificate of
Registry.

216. The Consul's duties with regard to the Certificate of Registry of a British ship which is lost, are mentioned in paragraph 12.

Summoning a
Naval Court.

217. The Consul's duties in respect of summoning a Naval Court to inquire into the circumstances attending a wreck are set forth in the Instructions relating to Naval Courts.

Upon every
wreck, &c.,
report to be
made to Board
of Trade.

218. In addition to the above, the Consul will in every case, when it comes to his knowledge that any British ship has been wrecked, lost, or seriously damaged, and where he does not think it necessary to summon a Naval Court, or has not the power of so doing, report the circumstances to the Board of Trade, stating what, in his opinion, was the cause of the casualty, with any other matters he may think important. He will be especially careful to report any circumstances showing fraud, negligence, or misconduct on the part of the Master or Officers. This report should either be made upon or accompany the Form Wr. 1 described in paragraphs 228, &c.

Form Wr. 1.

Salvage by Her Majesty's Ships.

General object
of the enact-
ments.

219. In order to prevent needless detention of the ships or property saved, and at the same time to ensure due satisfaction of the claims of the Salvors, provision is made for releasing the lien of

the Salvors upon due security being given, of which the Consul will in certain cases have to judge. The practice will be as follows :

220. If any of Her Majesty's ships, or any of the crews of such ships, render salvage service to a merchant ship at any place out of the United Kingdom and the four seas adjoining thereto, then, unless the parties can agree between themselves in manner mentioned in paragraph 207, the Salvor must, instead of retaining possession until the claim is settled, take the ship to some foreign port where there is a Consul, or to some British port where there is a Vice-Admiralty Judge. In so doing the Salvor will, so far as his primary duty to the Queen's service permits, be guided by the convenience of the ship saved.

Salvors to take ship to port where there is a Consul. S. 486.

221. Within twenty-four hours after the ship's arrival the salvor and the master of the saved ship must each deliver to the Consul a statement verified on oath. The Salvor's statement must contain the following particulars :—

Salvor and master to furnish Consul with statement. S. 486.

(a.) The place, condition, and circumstances in which the saved ship, cargo, or property was at the time when the services were rendered for which salvage is claimed :

(b.) The nature and duration of the services rendered :

(c.) The proportion of the value of the said ship, cargo, and property, and of the freight which he claims for salvage, or the values at which he estimates the said ship, freight, cargo, and property respectively, and the several amounts that he claims for salvage in respect of the same :

(d.) Any other circumstances he thinks relevant to the claim.

The master's statement must contain the following particulars, viz. :—

(a.) The place, condition, and circumstances in which the said ship, cargo, or property was at the time when the services were rendered for which salvage is claimed :

(b.) The nature and duration of the services rendered :

(c.) A copy of the certificate of registry of the said ship, and of the indorsements thereon, stating any change which (to the master's knowledge or belief) has occurred in the particulars contained in such certificate ; and stating also, to the best of his knowledge and belief, the state of the title to the ship for the time being, and of the incumbrances and certificates of mortgage or sale, if any, affecting the same, and the names and places of business of the owners and incumbrancers :

(d.) The name and place of business or residence of the freighter, if any, of the ship, and the freight to be paid for the voyage she is then on :

(e.) A general account of the quantity and nature of the cargo at the time the salvage services were rendered :

(f.) The name and place of business or residence of the owner of such cargo, and the consignee thereof :

(g.) The values at which the master estimates the ship, cargo, and property, and the freight respectively, or, if he thinks fit, in lieu of such estimated value of the cargo, a copy of the ship's manifest :

(h.) The amounts which the master thinks should be paid as salvage for the services rendered :

(i.) An accurate list of the property saved in cases where the ship is not saved :

(k.) An account of the proceeds of the sale of the ship, cargo, or property, in cases where the same or any of them are sold at the port :

(l.) The number, capacities, and condition of the crew of the ship at the time the services were rendered :

(m.) Any other circumstances he thinks relevant to the matters in question :

Form W. in
Schedule.

(n.) A statement of his willingness to execute a bond in the form in the table marked W. in the schedule of the Act, in such amount as the Consul may fix.

If the parties are unable to give all the above particulars, the reason for omitting any of them should be stated.

Consul to
fix amount of
bond.
S. 487.

222. Upon receiving these statements the Consul will carefully consider them and proceed (within four days if possible) to fix the amount to be inserted in the Bond. This amount should include the sum which the Consul thinks sufficient to answer the demand for the Salvage services rendered. In fixing this sum the Consul should remember that it should cover the amount of the claim, provided that it does not exceed one half of the value which, in his estimation, the property saved is worth ; and that he should be guided, as far as he has the means and knowledge, by the Rules which ordinarily guide Admiralty Courts in such cases. He should also bear in mind that no claim can ever be made in respect of any loss or risk to a Queen's ship or her stores.

If he requires additional information he may examine the parties or witnesses upon oath or affirmation. In such case the evidence is to be taken in writing, and to be attached to or ac-

company the statements. If either party fails to make his statement, the Consul may proceed *ex parte* but he should not, except in a pressing case, do so without giving notice; and if the ship or property saved is to be sold, he should allow a reasonable time for the purpose of giving the particulars of the sale; he has no power in any case to require the cargo to be unladen.

The amount to be inserted in the Bond should also include a sum of 150*l.* or thereabouts for costs.

S. 484.

S. 487.

223. When the Consul has determined the amount, he will give notice to the parties, and will cause a bond to be prepared in the form marked W. in the schedule to the Act, and will see that it is properly filled up with the particulars as given to him, and with the sum which he has determined. If the parties wish that the case should be adjudicated on in any Vice-Admiralty Court in the British dominions, the name of the Court and the place for which it acts is to be inserted in the bond. If not, the High Court of Admiralty in England will be the Court to adjudicate upon it. This bond must be executed by the master in the presence of the Consul, and must be attested by him. The Consul will then deliver it to the Salvor, and thereupon the lien of the Salvor on the property will cease, and his remedy will be upon the bond.

Consul to cause bond to be prepared.

S. 488.

S. 492.

Form W. in Schedule to Act.

224. If, however, the ship or property saved is owned by persons who reside in any foreign country, such additional security must be given as the Consul may approve. For this purpose it will be his duty to see that the persons giving the security are solvent persons, and that the security is one which is capable of being enforced in a British court of justice. This security may be in the form in Appendix T., or to a like effect. This bond, when executed and attested, must be given to the Consul or, if the Salvor so desires, must be placed in the joint possession of the Consul, and any other person whom the Salvor appoints for the purpose, to be afterwards dealt with as the Court which shall adjudicate upon it may direct.

Additional security if ship is owned by foreigners.

S. 489.

Appendix T.

225. The Consul will, by the first post, transmit the original statements and documents relating to the matter, together with a copy of the bond, certified by him to be a true copy, to the Registrar of the High Court of Admiralty in England; or, if it is to be adjudicated upon in any Vice-Admiralty Court, to the Judge of such Court.

Consul to transmit statements, &c., to Court of Admiralty.

S. 490.

Salvage of Life.

Pars.
S. 458.

226. By the 458th and 459th sections of the "Merchant Shipping Act, 1854," it is enacted as follows :

" 458. In the following cases ; (that is to say,)

Salvage in
respect of life.

" Whenever any Ship or Boat is stranded, or otherwise in
" Distress on the Shore of any Sea or Tidal Water situate
" within the Limits of the United Kingdom, and Services
" are rendered by any Person ;

Services
rendered in
the United
Kingdom.

" (1) In assisting such Ship or Boat ;

" (2) In saving the Lives of the Persons belonging to such
" Ship or Boat ;

" (3) In saving the Cargo or Apparel of such Ship or Boat
" or any Portion thereof ;

" And whenever any Wreck is saved by any Person other
" than a Receiver, within the United Kingdom ;

" There shall be payable by the Owners of such Ship or Boat,
" Cargo, Apparel, or Wreck, to the Person by whom such Services
" or any of them are rendered or by whom such Wreck is saved
" a reasonable Amount of Salvage, together with all Expenses
" properly incurred by him in the Performance of such Services,
" or the saving of such Wreck, the Amount of such Salvage and
" Expenses (which Expenses are herein-after included under the
" Term ' Salvage ') to be determined in case of dispute in manner
" herein-after mentioned.

S. 459.
Salvage for
life may be
paid by Board
of Trade out
of Mercantile
Marine Fund.

" 459. Salvage in respect of the Preservation of the Life or
" Lives of any Person or Persons belonging to any such Ship or
" Boat as aforesaid shall be payable by the Owners of the Ship
" or Boat in priority to all other claims for Salvage ; and in cases
" where such Ship or Boat is destroyed, or where the Value
" thereof is insufficient, after payment of the actual Expenses
" incurred to pay the Amount of Salvage due in respect of any
" Life or Lives, the Board of Trade may in its Discretion award
" to the Salvors of such Life or Lives out of the Mercantile
" Marine Fund such Sum or Sums as it deems fit, in whole or
" part Satisfaction of any Amount of Salvage so left unpaid in
" respect of such Life or Lives."

S. 9, Ad. Court
Act, 1861.
Extending
17 & 18 Vict.

By the 9th section of the " Admiralty Court Act, 1861,"—
" All the Provisions of the ' Merchant Shipping Act, 1854,'
" in regard to Salvage of Life from any Ship or Boat within the

“ Limits of the United Kingdom shall be extended to the Salvage of Life from any *British* Ship or Boat wheresoever the Services may have been rendered; and from any Foreign Ship or Boat where the Services have been rendered either wholly or in part in *British* waters.”

c. 104, as to Claims for salvage of life.

The principle that claims in respect of salvage of life take priority of all salvage claims against wrecked property saved is thus extended to British ships wrecked abroad, and it will be the duty of the Consul, as far as possible, to see that this principle is fully carried out in all cases in which property or life is saved within limits of his district.

Casualty Reports, Form Wr. 1.

227. To enable the Board of Trade to comply with an order of the House of Commons for a Return of Wrecks and Casualties abroad, to be presented annually with the Return of Wrecks on the Coasts of the United Kingdom, it is necessary for the Board to obtain detailed information respecting wrecks abroad.

Annual Parliamentary Return.

228. The Consul is therefore requested, in every case where, whether from the landing of either a shipwrecked crew or seaman of a British vessel within the district of the Consulate or neighbouring sea, or in any other way, he learns that a British vessel has been in distress, or wrecked, or damaged, either on the coasts within the district of the Consulate, or at sea, to fill up and forward to the Board of Trade Returns on Form Wr. 1.

Return on Form Wr. 1. to be sent to Board of Trade.

229. This form has been divided into the following nine classes, viz. :—

Sub-division of Form.

Wr. 1^a. Collisions, on the Coasts of the United Kingdom.

Wr. 1^b. Do. abroad.

Wr. 1^c. Foundering after leaving a port in the United Kingdom.

Wr. 1^d. Do. Colonial Port.

Wr. 1^e. Do. Foreign Port.

Wr. 1^f. Strandings, on the Coasts of the United Kingdom.

Wr. 1^g. Do. abroad.

Wr. 1^h. Miscellaneous on the Coasts of the United Kingdom.

Wr. 1ⁱ. Miscellaneous, abroad.

When a Foreign vessel has been in collision with a British vessel or has met with a casualty in British jurisdiction, the Consul should report, on Form Wr. 1, any information which he may be able to obtain. He should, however, remember that he has no

power to demand such information from Foreigners, and that he can only obtain it by their courtesy.

Whenever a British vessel which has loaded at or last sailed from a port in the Consul's district is lost or missing on the voyage, the Consul should furnish, on the appropriate form, Wr. 1, all available particulars relating to the vessel's condition on leaving port, the nature, quantity, and stowage of the cargo, and any other information which the Consul may think relevant to the case or to the loss of the vessel.

Appendix U. The classification employed in the compilation of the Wreck Register, as shown in the statement in Appendix U., should be strictly adhered to in all cases.

The nature, place, &c. of the Wreck or Casualty must be the guide to the Officer for the Form to be used.

Careful attention is requested to the rules and notes which will be found upon the forms.

The Return
should be
complete, and

230. It is very important that the information required should be given as completely as possible, as if the Return is incomplete in any particular its value will be materially diminished.

The questions on the Form Wr. 1, if fully and intelligently answered, will generally exhaust all matters of interest in the case, but the Consul should also insert, in the proper columns of the Form, his opinion as to the cause of the casualty, and how it might have been avoided, and should state, either on the form or separately, any matters connected with the casualty which may appear to him to be of importance (see paragraphs 218 and 236). He should also state whether a Naval Court has been or is likely to be held, and, if not, the reasons why it has been dispensed with. He should also state how the crew have been disposed of, so that the Board may know what evidence would be available in the event of inquiry in this country being considered necessary. Care should, however, be taken to select the Form Wr. 1 appropriate to the casualty to be reported, for the questions on each form are specially applicable to the class of casualty to which the form relates, and if the wrong form be used material information is likely to be omitted. There is no form specially designed for missing vessels, but for the present the Consul should report such cases on Form Wr. 1^c.

is a private
document.

231. The statements and remarks respecting the casualty contained in the Return Wr. 1 are obtained only for departmental purposes, and in no case are copies of such documents to be furnished to the public.

232. As the rendering of these Returns will entail some additional labour, the Board of Trade have decided, with the concurrence of the Lords Commissioners of Her Majesty's Treasury, and the Secretary of State for Foreign Affairs, that for each complete Casualty Return transmitted to the Board of Trade by Her Majesty's Consuls an allowance of five shillings (5s.) will be made, but the Consul will not be allowed travelling expenses incurred either by himself or his agent in obtaining information respecting casualties, unless there is *prima facie* evidence that a naval court should be held in the case, or he has reason to believe that evidence of importance to the public will be lost unless inquiry be made on the spot at once.

Allowance
for Returns.
Paragraph 258.

Travelling
expenses.

In all other cases the information necessary to fill up the Form Wr. 1 should be obtained if possible without such expense, but if this is impossible the Consul should report the movements of the Master and other witnesses, so that the information may be obtained from them as soon as they arrive at a port. When they are proceeding to the United Kingdom, the report should be made to the Board of Trade; when to another foreign port, to the Consul at that port; when to a colonial port, to the Shipping Master.

233. The allowance for Returns and the travelling expenses should be charged as a separate item in the Consul's Quarterly Account current with the Board of Trade. (See paragraph 260.)

How to be
charged.

234. In cases where these Returns are made by Vice-Consuls or other subordinate Consular Officers, they should be forwarded through the Consul, and the fees should be paid to the Vice-Consul or Consular Officer by the Consul, and charged by him in his account with the Board of Trade.

How to be
paid to Vice-
Consuls.

235. The Consul should be careful to keep his Vice-Consuls well supplied with the above Forms, for which purpose a sufficient number should be kept on hand, and application made to the Board of Trade for a fresh supply before the stock becomes too low.

Supply of
above Forms.

Collisions.

236. The Consul should report at once to the Board of Trade any case in which he has reason to believe that the Master of a Ship which has been in collision with another (one of the Ships being British) has neglected to stay by her until he has ascertained that she has no need of assistance, or has failed to render proper

Sec. 16, M. S.
Act, 1878.
Report to be
made when
assistance is
not rendered
by ships in
collision.

assistance, or to give to the Master of the other Vessel the name of his own Vessel and of her Port of Registry, or of the Port or Place to which she belongs, and also the names of the Ports or Places from which and to which she is bound.

The report should be accompanied by all the information which the Consul is able to obtain, and should be forwarded as soon as possible, whether or not the case is to be inquired into by a Naval Court or other Tribunal. The Form Wr. 1 will usually be found sufficient for the purpose of making this report (see para. 229).

RESERVE FORCE OF ROYAL NAVAL VOLUNTEERS.

Outline of the Reserve scheme.

237. Consuls will be required to perform certain duties with reference to the Reserve, and the following outline of the scheme is given for their guidance :—

Duties of volunteers.

1. The Naval Volunteers will be selected from seamen, boys, and firemen in the Mercantile Marine, and will be allowed to proceed on their usual employment, the principal conditions being that they must undergo 28 days' drill during each year, and present themselves once in every six months to some Superintendent of a Mercantile Marine Office in the United Kingdom, unless special leave is given to them to be absent for a longer time.

Volunteer's Certificate.
R. V. 2.

2. Each Naval Volunteer on his enrolment will receive a certificate R.V. 2, in which is to be recorded the particulars of his attendance at drill, and of his engagements and discharges in the merchant service, &c. Each certificate will be distinguished by a number, which the Consul is to quote in the returns referred to below. Entries in this certificate are only to be made by the Registrar General of Seamen, by a Consul, by a Naval Officer, or by a Superintendent of a Mercantile Marine Office.

Retainer.

3. Each First Class Naval Volunteer will, so long as he remains in the Reserve and abides by the conditions of his engagement, be entitled to an annual payment of 6*l.* a year, paid quarterly, and each Second Class Naval Volunteer will be entitled to an annual payment of 2*l.* 10*s.* so long as he abides by the conditions of his engagement, and each fireman 5*l.* so long as he abides by the conditions of his engagement. This retainer will only be paid by a Superintendent of a Mercantile Marine Office in the United King-

dom, and only to the Naval Volunteer on his personal application.

4. In addition to this retainer, an annual sum will be set aside Pension.
to form a pension fund, and out of this fund a pension of
not less than 12*l.* per annum will be paid to each First
Class Naval Volunteer who may become entitled under the
regulations to a pension.

238. In order to be able to call out the Reserve Force the Go- Government
vernment must know the whereabouts of the Naval Volunteers, must know
and consequently will require to be advised of the engagements and whereabouts of
discharges of seamen from British ships at foreign ports. It will Volunteers.
be obvious, therefore, that the proper rendering of Form C. 19*a*
is of importance as affecting this matter.

239. When a Naval Volunteer is engaged in the United King- How Naval
dom, the number of his certificate is written opposite the man's Volunteers
name in the Agreement, in the column appropriated for that pur- may be known.
pose. The Consul will consequently know that the seaman opposite No. of
whose name such an entry is made is a Naval Volunteer, and certificate
whenever he has occasion to refer in his official documents to a to be noted
seaman belonging to the Naval Reserve, the number of the man's in official
certificate, R.V. 2. should be noted against his name. documents.
R. V. 2.

240. If the seaman, who is engaged or discharged before the If a Volunteer,
Consul, is a Naval Volunteer, the particulars of the engagement or engagement or
discharge, as the case may be, must be entered and signed by the discharge to
Consul in the Volunteer's certificate R.V. 2. If the Volunteer is be entered in
discharged before the Consul, the ground of his discharge should R.V. 2.
be also entered in the Certificate R.V. 2.

241. In addition to making the usual endorsements on the ship's Entry against
agreement, the Consul will enter against the seaman's name, in seaman's name
the agreement, the letters R.N.V. and the No. of his Certificate in agreement.
R.V. 2.

242. Any Naval Volunteer discharged before the Consul will in On discharge
addition receive from the master of the ship from which he is to receive
discharged the usual form of certificate of discharge and character usual certifi-
given to other merchant seamen. cate.

243. As previously explained in paragraph 237, section 1, every Leave of
Naval Volunteer is required to present himself to some Superin- absence will
tendent of a Mercantile Marine Office in the United Kingdom be entered in
once in every six months, except when special leave is given to Volunteer's
Certificate.

the Volunteer to absent himself for a longer time. This leave will always be given for a particular ship and a particular voyage, and it will be entered by the Superintendent before whom the man is engaged upon the Volunteer's Certificate R.V. 2. If the Volunteer leaves that ship, except from circumstances of necessity, his leave will be considered as broken.

R.V. 2.

Consul to warn Volunteers of consequences of breaking conditions of Reserve.
R.V. 2.

244. Consequently, whenever a Volunteer is to be discharged before a Consul, the Consul should ascertain, by reference to his Certificate R.V. 2, whether the Volunteer has special leave, and should warn him that if he quits the ship for which leave is given he will be considered to have broken his leave and to have forfeited the benefits of the Reserve.

Volunteer should, if possible, return to the United Kingdom within the time allowed.

245. Whenever a Volunteer is to be engaged before the Consul or comes to the Consul for relief or assistance, the Consul should endeavour to procure him employment in a ship bound to the United Kingdom, or to send him home, so that he may arrive in the United Kingdom within the period of six months, or the period for which leave has been given, as the case may be, or as nearly within those periods as possible.

Engagement leading to breach of conditions.
Form C. 19a. and certif.
R.V. 2.
Certificates belonging to men who have died or deserted.

246. If the Volunteer persists in engaging himself for a voyage that will cause him to break the conditions of the Reserve, the Consul should note the fact in column 37 of his Register C. 19a, and in the Volunteer's Certificate R.V. 2.

Returns to be made by Consul.

247. If the seaman who is a Royal Naval Volunteer is reported as having died or deserted, the Consul should obtain his certificate R.V. 2 from the master, and deal with it as directed in paragraph 249.

Form C. 19a.

248. As it is most important to have the earliest possible intimation of the changes that take place in the crews of British ships, in order to check desertions from the Reserve Force, &c., the Consul should transmit to the Registrar General of Shipping and Seamen, Custom House, London, E.C., in Form C. 19a., a copy of his register *by the first mail after any entries are recorded* (see para. 44).

Consul to send Volunteer Certificates of men who have died or deserted.
Form C. 19, R.V. 2.

249. With a copy of the Form C. 19a., the Consul should transmit to the Registrar General of Seamen any Volunteer Certificates which he has obtained of men who have died or deserted (see para. 247).

Naval Volunteers called out for Actual Service.

In the event of Naval Volunteers being called out for actual service the Consul's attention is directed to the following paragraphs:—

250. It is intended that the Naval Volunteer Reserve Force shall be called out only when an emergency requires a sudden increase in the naval force of the country. In such a case the Naval Volunteers will be called out by Royal Proclamation, and all Naval Volunteers for the time being belonging to the force are liable to serve in the Navy.

When called out, all Volunteers liable to serve.

251. Naval Officers commanding Her Majesty's ships in the neighbourhood of the Consulate will apply to the Consul to examine the agreements of British merchant ships, and to call for any documents relating to the crew, in order to ascertain whether any Naval Volunteers are on board. If any such Naval Volunteers (not being exempt from liability to serve) are found, the Naval Officer will call on them to join the Navy, and the Consul will in all cases give all the assistance in his power.

Consuls to co-operate with Naval Officers.

252. The Consul shall report specially any Volunteers who fail to serve when called on to do so; also any case in which he has reason to believe any Naval Volunteer is endeavouring to evade his liability to serve, or in which he refuses or neglects to return to the United Kingdom within the time allowed.

Defaulters to be reported.

GRAIN CARGOES.

253. The Consul should send to the Board of Trade yearly, on the 30th June, a report showing the number of British ships loaded with grain at his Port during the year, with such observations as he may think fit as to the manner in which the provisions of the Merchant Shipping (Carriage of Grain) Act, 1880, are complied with.

Consul to send Report of British ships so loaded.

M. S. (Carriage of Grain) Act, 1880.

FEES AND REMUNERATION.

254. In Appendix R. will be found Tables of the fees which, in pursuance of the Acts 6 Geo. 4. c. 87., and 12 & 13 Vict. c. 68., and of an Order in Council dated the 28th day of November 1887, the Consul is entitled to charge for the various operations mentioned in the Act, and in these instructions, as well as for other matters.

Tables of fees in Appendices R. and S.

In Appendix S. will be found special Tables of fees authorised to be levied by Consular officers in China and Japan under an Order in Council of the same date.

No further remuneration is to be received by the Consul for any signature or other matter done by him in pursuance of these instructions, with the exception of the charges mentioned in paragraph 258.

The footnotes relating to certain specified fees are inserted in Appendix R. merely for the Consul's convenience, and must not be considered as a substitute for the Foreign Office Instructions, from which they are extracted. Their provisions apply equally to the corresponding fees in the Tables in Appendix S.

Exemption from payment of fees Nos. 1 to 17, 31, 32, 37, 38, and 43 is granted by courtesy to British yachts belonging to clubs in possession of warrants from the Lords Commissioners of the Admiralty.

Forms of Note of Protest (single and in book shape, see fee No. 23 and foot-note), Order for Survey (fee 24), Extension of Protest (fee 26), and Bill of Health (fee 31) are supplied to Consuls by the Board of Trade on requisition. (See paragraph 295.)

Consuls not to press certain offices on Shipmasters;

255. In order to prevent any misconception with reference to the Consular services for which fees are payable, it is to be observed that it is for the master of the ship alone to judge whether it is expedient to procure from the Consul any of the documents mentioned in the second and fourth parts of the table, the furnishing of which will authorise the Consul to levy a specified fee.

but to warn them of consequences of neglect.

256. But although a Consul has no right to require a shipmaster to provide himself with Consular papers, it is proper that a Consul should make shipmasters aware of any inconvenient consequences which are likely to result to them from a neglect of any laws of this country, or of any regulations of foreign states bearing upon matters in which such shipmasters may be concerned. It must, however, of course, rest with the shipmaster to act in such cases as he may think proper.

Receipt for Fees.
Form C. 32.

257. As stamps are to be given in receipt for fees, a receipt on Form C. 32 need not be given unless desired, but the payer of the fees should in all cases be asked if he wishes for a separate receipt, and be supplied with one on request. The Form C. 32 should invariably be used for this purpose.

Charges that may be retained by Consuls for their own benefit.

258. Consuls are allowed to make and retain the following charges on account of services performed by them for the Board of Trade:—

(a.) A commission of $2\frac{1}{2}$ per cent. on disbursements in respect of distressed British seamen, allowed by the Board of Trade. (See paragraphs 111 and 260.)

(b.) A fee of 5s. for each Casualty Return furnished to the Board of Trade on the form supplied by them. (See paragraph 232.)

(c.) A fee of 5s. for each deposition or sworn statement regarding a wreck or casualty (other than the Casualty Return) furnished to the Board of Trade in pursuance of special instructions.

(d.) A commission of 2d. in the £ on the amount of Seamen's Money Orders (Foreign). (See paragraphs 275, 282.)

259. In all cases in which any duties are required from a British Consul by these instructions he will perform those duties fully and completely, without making any charges other than those authorised as above mentioned, and he will be careful not to mix up any charges made by him in his Consular capacity with charges made by him as a merchant or in any other capacity.

No extra charge to be made in respect of matters incident to official duties.

ACCOUNTS.

260. The Consul's accounts under the foregoing instructions are to be kept in the currency of the place. All moneys received and paid by him in sterling on account of the Board of Trade are to be converted into currency at the rates of exchange in force for bills at 3 days' sight on England, on the dates of each such receipt and payment, the rates of exchange being stated on each voucher. The whole of his receipts and payments in each quarter are to be brought into a general account current, Form C. 26, and the balance converted into sterling. The rate of such conversion will be that at which the balance is drawn for or remitted, as the case may be. The commission of $2\frac{1}{2}$ per cent. on the amount of his disbursements in respect of distressed seamen may be charged by the Consul in his account current. (See also pars. 233, 258, 282.)

Accounts, how to be kept.

261. The Consul is to make up and transmit his accounts to the Board of Trade quarterly, to the end of March, June, September, and December respectively. Any delay in forwarding the accounts, especially from a distant port, may be attended with serious inconvenience.

To be transmitted quarterly.

262. The following is a list of the forms to be used in connexion with accounts with the Board of Trade:—C. 12, C. 12a, C. 13, C. 14, C. 15, C. 16, C. 16a, C. 17, C. 18, C. 20, C. 24, C. 25, C. 26, C. 27, C. 33, C. 34. These forms are to be strictly adhered to, and

Forms to be used in connexion with accounts.

all certificates upon them are to be duly completed and all blanks are to be filled in. Whenever this is impossible the reasons are to be fully stated. These forms will be supplied to the Consul on his application. (See paragraph 295 and Appendix X.)

Vouchers to be translated,

263. If any vouchers should be in a foreign language, translations thereof are to be sent with the original documents. At ports where there is a depreciated paper currency the vouchers should show in what currency the payments have been made, and care should be taken that all receipts are made out in a language understood by the payee.

and to be numbered.
Form C. 30.

264. The vouchers are to be numbered progressively, and corresponding numbers are to be given at the foot of the Form C. 20 for the respective charges. Vouchers for subsistence and for hospital expenses should, if possible, be obtained in the forms given in Appendix W. marked C. 20 annex *a* and C. 20 annex *b*. In any circumstances all the information required by the annexes should be supplied, and in the case of vouchers for hospital expenses the nature of the complaint or injury for which the seaman was under treatment should always be stated.

Appendix W.

Steps when vouchers cannot be procured.

265. If it should be impracticable, under particular circumstances, to obtain the vouchers required by the foregoing instructions, a declaration is to be made to that effect; and after specifying as fully as possible the nature of the payments, it is to be stated in the declaration that they were *bond fide* made for the public service, without any profit or advantage to the Consul, except the commission herein-before mentioned.

Vice-Consul's receipts and disbursements.

266. When receipts or disbursements by Vice-Consuls on behalf of the Board of Trade are included in the Consul's account current, the receipt of the Vice-Consuls for any disbursements in excess of receipts, in addition to the vouchers, must accompany the account. The prescribed forms (see paragraph 262) should in all cases be used by Vice-Consuls.

Postage.
Form C. 24.

267. The Consul may charge in his account the actual expense for postage of letters, and for telegrams, if any, on account of business specially connected with the Board of Trade upon the Form C. 24.

Bill to be drawn for balance due to Consul.
Form C. 27.

268. If the sums expended by the Consul during the quarter on account of the Board of Trade exceed the amount of his receipts for wages of seamen, &c., he is to draw a bill upon the Assistant Secretary, Finance Department, Board of Trade, on the last day

of the quarter, or as soon thereafter as he can close his account, for the equivalent in sterling of the balance at three days' sight (see Form C. 27), transmitting to that officer a letter of advice. It is most important that the account and vouchers should be sent at the same time. If the account and vouchers are regular, the amount will be allowed; but if they are not, the amount will be charged against the Consul until sufficient vouchers or a satisfactory explanation are received.

269. If the sums received by the Consul during the quarter, on account of the Board of Trade, exceed the amount of his disbursements, he is to remit the balance to the Assistant Secretary, Finance Department, Board of Trade, by means of short date bills or drafts payable in London, on the last day of each quarter, or as soon thereafter as he can close his account.

Balance due from Consul to be remitted.

270. If no expenses have been incurred, and the receipts have been wholly for wages and effects of deceased seamen, the remittance is to be made as above, and an account with the Form C. 15 is to be transmitted to the Board of Trade.

Where no expenses have been incurred. Form C. 15.

Seamen's Money Orders (Foreign).

271. To guard against diversity of practice among Consular Officers in the treatment of gains and losses by exchange arising on remittances to the Board of Trade on account of Foreign Money Orders issued to Seamen, Consuls are requested—

Rules regarding the issue of Seamen's Foreign Money Orders, and names of ports where system is in operation.

(a.) As regards money deposited by Seamen in sterling:

To issue Money Orders for the sums so received (less the commission of 3*d.* in the £), and to convert such sums into currency at the rate of exchange actually ruling on the date of the issue of the Money Order.

(b.) As regards money deposited by Seamen in currency:

To issue Money Orders for such sums (less the commission of 3*d.* in the £), at the rate of exchange actually ruling on the date of issue.

(c.) As regards the Schedule (F.M.O.¹):

To enter the amount in sterling, and the equivalent in currency of each Money Order issued, in the columns for "sterling" and "currency" respectively.

(d.) As regards remittances to London:

To remit by means of short date bills or drafts payable in London, the actual equivalent in sterling, of the total

in currency of the Orders issued, as shown on the Schedule (F.M.O.¹), together with the Board of Trade Commission of 1*d.* in the £ on the amount of such Orders.

The system of Seamen's Foreign Money Orders, by which seamen are enabled to remit their wages home when they are paid abroad, is in operation at the following ports :

ARGENTINE	RE-	COLOMBIA, UNITED	GERMANY :
PUBLIC :		STATES OF :	Bremerhaven.
Buenos Ayres.		Carthagena.	Dantzic.
Rosario.			Hamburg.
			Königsberg.
			Stettin.
AUSTRIA :		DENMARK :	
Trieste.		Copenhagen.	
		St. Thomas.	
BELGIUM :			GREECE :
Antwerp.			Corfu.
Ostend.			Piræus.
		EGYPT :	Patras.
		Alexandria.	Syra.
BRAZIL :			
Bahia.			
Para.			
Pernambuco.			
Rio Grande do Sul.			
	FRANCE :		HOLLAND :
	Bastia.		Amsterdam.
	Bayonne.		Rotterdam.
	Bordeaux.		
CHILI :	Boulogne.		ITALY :
Valparaiso.	Brest.		Cagliari.
	Calais.		Genoa.
CHINA :	Charente.		Leghorn.
Amoy.	Cherbourg.		Naples.
Canton.	Dieppe.		Palermo.
Chefoo.	Dunkirk.		Venice.
Foochowfoo.	Havre.		
Hankow.	Honfleur.		
Kinkiang.	Marseilles.		
Kewchwang.	Nantes.	JAPAN :	
Ningpo.	Nice.		Hakodadi.
Shanghai.	Rouen.		Hiogo.
Swatow.	St. Nazaire.		Kanagawa.
Tientsin.	Toulon.		Negasaki.
Taku.			Osaka.

NORWAY AND SWE- RUSSIA :

DEN :
 Christiansund.
 Christiania.
 Gottenburg.
 Stockholm.
 Archangel.
 Berdiansk.
 Cronstadt.
 Helsingfors.
 Kertch.
 Odessa.
 Riga.
 Wiborg.

TURKEY :

Constantinople.
 Dardanelles.
 Smyrna.

UNITED STATES :

Baltimore.
 Boston.
 Charleston.
 Mobile.
 New Orleans.
 New York.
 Portland.
 Philadelphia.
 Savannah.
 San Francisco.

PERU :

Callao.

SPAIN :

Alicante.
 Barcelona.
 Bilbao.
 Carthagena.
 Cadiz.
 Havana.
 Malaga.
 Puerto Rico.
 St. Jago de Cuba.
 Vigo.

PORTUGAL :

Funchal.
 Lisbon.
 Madeira.
 Oporto.

272. In addition to the above, the Indian Government authorise the issue of Seamen's Money Orders at certain ports in India. Money Orders issued in India.

273. With a view of making seamen acquainted with the system, placards have been prepared which the Consul will cause to be exhibited in some conspicuous place in his office, where they will attract attention, and he will be good enough to explain its advantages to British seaman discharged and paid off before him. Means for making seamen acquainted with system.

274. *The system is to be confined to the use of Seamen only, and is not, under any circumstances, to be extended to Masters of British Merchant vessels.* System to be confined to use of seamen only.

275. By means of these Money Orders, which may be issued in favour of the seamen themselves, or of their relatives or friends, seamen are enabled to remit the whole or any part of their earnings to the United Kingdom at a charge of 3*d.* in the £. Of this sum 2*d.* is to be retained by the Consul as remuneration for his trouble, and 1*d.* is to be accounted for to the Board of Trade to cover variations of exchange. Advantages of system.

276. When a seaman requires a Money Order, the following course is to be pursued. The seaman must state to what Port he Course to be pursued if a Money Order is required.

desires to remit the money, and the name and address of the person to whom it is to be remitted. These particulars are to be carefully written on one of the Forms of Application, and if the Seaman can write he should sign his name in full on the Form of Application. If he cannot write it is to be written for him. The Consul will be careful not to issue a Money Order to a Seaman for any part of his wages if he is likely to be a charge upon the vote for the relief of Distressed British Seamen.

Form of
Advice.

277. The Seaman will then deposit in the Consul's hands the amount he wishes to remit, together with the commission of 3*d.* in the £. On this being done the Consul will complete the Form of Advice, and fill in the particulars at the foot thereof, to assist in identifying the person in whose favour the Order is drawn.

Orders must
be drawn in
sterling money.

278. The Orders must be drawn in sterling money. If the Seaman deposits sterling money, the Consul will issue an Order for the amount so deposited, less the commission of 3*d.* in the £. If the Seaman deposits money in the currency of the country, the Consul will issue an Order for the equivalent in sterling of the amount so deposited (less the commission of 3*d.* in the £), *calculated at the rate of exchange actually ruling on the date of issue.*

Transmission
of Form of
Application
and Advice to
Board of
Trade.

279. The Money Order is then to be written out and delivered to the Seaman, and the Consul is to transmit the Form of Application and Advice to the Board of Trade *by the same night's post*, if there is a daily post from the Port, or if not, by the first post following.

Steps to be
taken if Consul
finds it
necessary to
cancel a
Money Order.

280. Should the Consul find it necessary to cancel any Money Order, the Form of Advice relating to it should be transmitted with the Form of Advice relating to the next Order issued, so that the Board of Trade may be aware of the miscarriage of any Form of Advice. The Seamen should clearly understand that when they have obtained an Order, and the Advice of the same has been transmitted to the Board of Trade, the money can in no case be returned to them abroad, and that payment can only be made in the United Kingdom.

Steps to be
taken respec-
tively when
"currency"
or "sterling"

281. When "currency" has been deposited by Seamen for Money Orders issued to them, the Consul will enter in the Schedule F.M.O. No. 1., the particulars of such Money Orders, showing the amount in sterling and the equivalent in currency

(less the commission of 3*d.* in the £) for each Order, in the columns for "sterling" and "currency" respectively. When, however "sterling" has been deposited, the Consul will exchange it for "currency" at such times as may seem to him must advantageous to the Board of Trade, and, after deducting the equivalent of the commission of 3*d.* in the £, will bring the amount of such currency to account in the "currency" column of the Schedule F.M.O., No. 1., the amounts of the corresponding Money Orders issued having been entered in the column for "sterling" at the time of the issue of the Orders.

282. Sums received for Money Orders should appear in the quarterly account current of the Consul with the Board of Trade, the amount of the item brought into the currency column of the account agreeing with the aggregate total in currency of the series of Schedules No. 1 transmitted during the quarter.

Sums received for Money Orders may be regarded as part of the general receipts on account of the Board of Trade, and payments for distressed seamen and other disbursements authorised by the Board made therefrom. The Consul* will remit to the Assistant Secretary, Finance Department, Board of Trade, either monthly or quarterly, according to the amount in hand, by means of short date bills or drafts payable in London, the equivalent in sterling, *calculated at the rate ruling on the date on which the remittance is made*, of the total in currency of the Orders issued, subject to reduction through the application of sums to meet expenses above referred to, as shown on the Schedule (F.M.O., No. 1.), together with the Board of Trade commission of 1*d.* in the £ on the amount of such Orders.

283. Sums received for Money Orders issued at Ports in China and Japan are to be paid into the Consular chest, and a special Schedule of Money Orders issued (F.M.O., No. 1, China and Japan), bearing at foot a Certificate of the rate of exchange, is to be transmitted by Consuls at those Ports to the Assistant Secretary, Finance Department, Board of Trade, at the end of each quarter.

284. It may happen that a Seaman of provident habits, who has an account open in the Seamen's Saving Bank, under the management of the Board of Trade, and is not returning direct to the United Kingdom, may wish to remit money to be added to his

* Special instructions to Consuls at ports in China and Japan will be found in the succeeding paragraph.

Transmission of money to the account of a seaman at the Seamen's Saving Bank.

account in the Bank. In such a case the Money Order may be drawn in favour of the Assistant Secretary, Finance Department, Board of Trade, and the Consul should ascertain from the Seaman the number of his pass book, and enter such number on the Money Order, which should be sent with the Form of Advice to the Board of Trade. The Seaman should be directed to deliver his pass book to the Superintendent of any Mercantile Marine Office on his first arrival in the United Kingdom, to be forwarded to the Board of Trade, in order that the amount remitted may be entered therein.

Ports in the United Kingdom and Channel Islands where Money Orders may be made payable.

285. Money Orders may be made payable at the following Ports and Creeks in the United Kingdom and Channel Islands, viz. :

Aberdeen.	Connah's Quay	Granton.
Aberystwith.	(for Chester).	Greenock.
Alloa.	Cork.	Grimsby.
Amble.	Cowes.	Guernsey.
Arbroath.	Dartmouth.	Hartlepool, West.
Ardrossan.	Douglas.	Hartlepool, East.
Avonmouth.	Dover.	Harwich.
Ayr.	Drogheda.	Hayle.
Ballina.	Dublin.	Holyhead.
Bangor.	Dumfries.	Hull.
Barnstaple.	Dundalk.	Inverness.
Barrow.	Dundee.	Ipswich.
Belfast.	Exeter.	Jersey.
Berwick.	Falmouth.	Kingston-by-Sea.
Bideford and	Faversham.	Kircaldy.
Appledore.	Fishguard.	Kirkwall.
Blyth.	Fleetwood.	Leith.
Borrowstoness.	Folkestone.	Lerwick.
Boston.	Fowey.	Limerick.
Bridgwater.	Fraserburgh.	Littlehampton.
Bridport.	Galway.	Liverpool :
Bristol.	Garston.	Burton Street.
Brixham.	Glasgow.	Canning Place.
Burntisland.	Glasson Dock (for	Llanelly.
Caernarvon.	Lancaster).	London :
Campbeltown.	Gloucester.	Tower Hill.
Cardiff.	Goole.	Poplar.
Cardigan.	Gourock.	Victoria Docks.
Charlestown.	Gravesend.	Londonderry.
Colchester.	Grangemouth.	Lowestoft.

Lyme.	Portsmouth.	Swansea.
Lynn.	Preston.	Teignmouth.
Macduff, for Banff.	Queenstown.	Torquay.
Maldon.	Ramsgate.	Tralee.
Maryport.	Rochester.	Troon.
Middlesbro.	Runcorn.	Truro.
Montrose.	Rye.	Waterford.
Mostyn.	St. Ives.	Wells (Norfolk).
Newcastle.	Salcombe.	Westport.
Newhaven	Scarborough.	Wexford.
(Sussex).	Scilly.	Weymouth.
Newport (Mon-	Seaham.	Whitby.
mouth).	Shields, North.	Whitehaven.
Newry.	Shields, South.	Wick.
Neyland.	Silloth (for Car-	Wigtown.
Padstow.	lisle).	Wisbeach.
Par (Cornwall).	Skibbereen.	Woodbridge.
Penarth.	Sligo.	Workington.
Penzance.	Southampton.	Yarmouth
Perth.	Stockton.	(Norfolk).
Peterhead.	Stornoway.	Youghal.
Plymouth.	Stranraer.	
Poole.	Sunderland.	

CORRESPONDENCE.

286. In all cases where the Consul is by these instructions required to transmit documents or reports to the Board of Trade, he will observe the same rules which are laid down for his guidance as to correspondence with the department of Her Majesty's Secretary of State for Foreign Affairs in the general Consular instructions, with the following exceptions:—

Correspondence with Board of Trade.

Communications from the Board of Trade on ordinary matters of account and other matters of routine, if requiring no answer, need not be specially acknowledged.

Communications to the Board of Trade on matters to which the foregoing instructions relate, and also communications containing intelligence concerning the British Mercantile Marine which are intended for transmission to Lloyd's Committee or other interested parties, are to be addressed to the Assistant Secretary,

Marine Department, Board of Trade. They are, however, to be sent under flying seal to the Secretary of State for Foreign Affairs, to whom the Consul will, in his covering despatch, report succinctly the nature and subject of the communication.

The correspondence with the Board of Trade is to be treated as forming a distinct series, and is to be numbered with a distinct set of numbers accordingly.

MISCELLANEOUS.

Passenger
ships.

287. The present instructions do not embrace the points specially provided for in those Acts which relate to the carriage of passengers. But it will generally happen that where passengers have reason to complain, the Consul will have the means of interfering in some one or other of the ways pointed out above. If not, he will act according to the best of his power in the matter, and will, if necessary, report the case to the Board of Trade. In dealing with the cases in which passengers are concerned, he will have regard to the provisions of the Acts specially relating to passengers, and also to the fourth part of the Merchant Shipping Act, 1854.

Detention of
ships by foreign
authorities.

288. In case of ships being detained or arrested by any Foreign authority, the Consul will employ all suitable means for obtaining their release and indemnity if the case requires it; and in the meanwhile, will do whatever is in his power to ensure safety and order on board. He will inform the British Minister in the country and Her Majesty's Secretary of State of the occurrence.

Power of
master to sell
a ship.

289. The law does not permit a Master, without special authority from the Owner, to sell his ship, except in cases of the most urgent necessity. In such cases, the Master, to secure himself, should procure from the Consul a verification of the facts.

Notices of
lights and other
matters
affecting
navigation
to be sent to
Admiralty and
Board of
Trade.

290. The Consul will forward to the Secretary to the Admiralty and to the Secretary to the Board of Trade the original notices of new Lights, Beacons, or Buoys; and of all alterations in existing Lights, Beacons, or Buoys; and of all Rocks, Shoals and other Impediments to Navigation, discovered in or near the Limits of his Consulate, or in or on the Neighbouring Seas or Coasts; and of other matters affecting Navigation.

The Notice should be forwarded in its original Language, accompanied by an exact and careful Translation.

Particular attention should be paid to the spelling and writing of proper names, and all numbers should not only be expressed in figures, but should also be written in words, *e.g.*, "45° (forty-five degrees)." It is essential that *all* Notices of this description should be sent both to the Admiralty and to the Board of Trade with the least possible delay.

291. If the Consul learns that any Master has lost or endangered his ship, or the lives of the passengers or crew, by incompetency or misconduct, or has been guilty of fraudulent practices towards his Owners or Employers, or towards Insurers, or has been guilty of gross tyranny towards any of his passengers or crew, or has otherwise grossly misconducted himself, or shown himself incompetent to command a ship, and it is not possible or expedient to settle the matter on the spot by the intervention of a Naval Court, or otherwise to deal with it under any special directions contained in these Instructions, the Consul will report the case to the Board of Trade, giving such information as may facilitate the tracing of witnesses, and the prosecution of an inquiry on the return of the Master to this country.

Misconduct of masters to be reported.

292. The Consul will do his utmost to ascertain all particulars concerning Piracies committed on the seas near his Consulate, and will communicate with Masters of British Ships so as to enable them to avoid danger, and with any of Her Majesty's Cruisers on the station, so as to enable them to seek for and capture the pirates. He will also report all such cases to Her Majesty's Secretary of State.

Piracies to be reported.

293. In all cases in which the Consul makes any report concerning a British ship, he will mention the name of the Port of Registry and the official number; and in all cases in which he makes any report concerning a Master or Mate, he will state the number of his certificate, whether it is a Certificate of Competency or of Service, and whether Imperial or Colonial.

Numbers of ships and certificates of Masters and Mates to be stated.

294. Should a complaint of unseaworthiness be preferred against any British ship, the Consul should remember that he has no power of himself to order the detention or survey of the ship, but that the proper course to be taken is, if possible, to summon a Naval Court to deal with the matter, under the provisions of section 260 of the Merchant Shipping Act, 1854, and of section 8 of the Merchant Shipping Act, 1871: (*See* paragraph 13.)

Unseaworthy ships.
S. 260.
S. 8, M. S. A., 1871.

Forms.

Forms. 295. A list of Forms used in connexion with accounts with the Board of Trade and referred to in paragraph 262 will be found in Appendix X.

Appendix X. A list and description of other Forms referred to in the Instructions will be found in Appendix Y.

Appendix Y. The Consul should take care that his Consulate is always provided with a sufficient stock of those Forms which are required in the performance of his duties. Requisitions for supplies of Forms should be addressed to the Assistant Secretary, Marine Department, Board of Trade.

M 5824,
1888.

APPENDIX A.

See paragraph 17.

WEST COAST of AFRICA—PASSES for SMALL VESSELS.

It has been represented that British owners of small *unregistered* vessels or launches trading on the West Coast of Africa and along the coast of Zanzibar are subjected to inconvenience arising from their liability to detention by Her Majesty's Ships on account of their carrying the British Flag without a British Register. Her Majesty's Secretary of State has therefore been pleased to approve of the following regulations, prepared by the Board of Trade, according to which Her Majesty's Consuls at places on the West Coast of Africa and at Zanzibar are authorised to grant Certificates of British ownership, on certain conditions, to the class of vessels referred to, which will be recognised as Passes by Her Majesty's naval officers on that station :

- a. The Certificate or Pass is not to be granted by a Consul to any vessel or vessels except to such as by reason of their never visiting a Port of Registry cannot obtain a proper Certificate of Registry.
- b. Before issuing any such Certificate or Pass the Consul is to satisfy himself, by such evidence as he may be able to procure, that the vessel is British owned, and lawfully employed. This evidence should be taken down in writing, and signed by the person or persons giving it.
- c. A copy of the Certificate or Pass, with the written evidence annexed, should in each case be sent to the Foreign Office for transmission to the Board of Trade, to be recorded.
- d. The Certificate is to be in the following form :—

FORM OF CERTIFICATE.

Certificate of British ownership or Pass for vessels not registered plying or trading exclusively on the West Coast of Africa, or along the coast of Zanzibar.

Name of Ship _____ of _____ Tons

No. of decks

No. of masts

Rig

Stern

Build

Galleries

Head

Framework

After due inquiry into the ownership of the above vessel, I certify upon the evidence adduced before me that she is bonâ fide owned by British subjects duly qualified to own British ships.

Given at _____ }
(L.S.) this _____ day of _____ 18 ____ } for _____
H.B.M. Consul

APPENDIX B.

See paragraph 17.

INSTRUCTIONS to HER MAJESTY'S CONSUL GENERAL at CONSTANTINOPLE relating to the ISSUE of CERTIFICATES of BRITISH OWNERSHIP.

Her Majesty's Secretary of State has been pleased to approve of the following Regulations, prepared by the Board of Trade, according to which Her Majesty's Consul General at Constantinople is authorised to grant Certificates of British ownership on certain conditions to owners of unregistered tugs and small vessels trading within the limits of the Dardanelles and Bosphorus, and to Smyrna and the Islands of the Archipelago adjacent thereto, on the one side, and to the Black Sea in the vicinity of the mouth of the Bosphorus on the other, which will be recognised as Passes by Her Majesty's consular and naval officers, and by all British authorities to whom the Certificates may be exhibited:

- (a.) The Certificate or Pass is not to be granted by the Consul to any vessel or vessels, except to such as by reason of their never visiting a Port of Registry cannot obtain a proper Certificate of Registry.

- (b.) Before issuing any such Certificate or Pass the Consul is to satisfy himself by such evidence as he may be able to procure, that the vessel is British owned and lawfully employed.

This evidence should be taken down in writing, and signed by the person or persons giving it.

- (c.) A copy of the Certificate or Pass, with the written evidence annexed, should in each case be sent to the Foreign Office, for transmission to the Board of Trade, to be recorded.

- (d.) The Certificate is to be given in the following form :—

FORM OF CERTIFICATE.

Certificate of British ownership or Pass for vessels not registered plying or trading within the limits of the Dardanelles and Bosphorus, and to Smyrna and the Islands of the Archipelago adjacent thereto on the one side, and to the Black Sea, in the vicinity of the mouth of the Bosphorus, on the other.

Name of vessel	of	tons.
No. of decks		
No. of masts		
Rig		
Stern		
Build		
Galleries		
Head		
Framework		

After due inquiry into the ownership of the above vessel, I certify upon the evidence adduced before me that she is bona fide owned by British subjects duly qualified to own British ships.

Given at this day
 "of 18 .
 H.B.M. Consul General for Constantinople.

APPENDIX C.

(See frontispiece.)

‡APPENDIX D.

See paragraph 23.

SAILING SHIP.

PROVISIONAL CERTIFICATE OF REGISTRY granted by a BRITISH Consular Officer upon a Ship becoming the property of persons qualified to be Owners of British Ships at any FOREIGN PORT.

Name of Ship.	British or Foreign Built.	How propelled.

Number of Decks -	Build - - -
Number of Masts -	Galleries - - -
Rigged - - -	Head - - -
Stern - - -	Framework - - -

MEASUREMENTS.	Feet.	Tenths.
Length from the fore part of Stem under the Bowsprit to the aft side of the head of the Sternpost - -		
Main breadth to outside plank - - -		
Depth in Hold from Tonnage Deck to Ceiling at Midships - - -		

TONNAGE.	No. of Tons.
Tonnage under Tonnage Deck - - -	
Closed-in Spaces above the Tonnage Deck, if any, viz. :	
Space or Spaces between Decks - - -	
Poop - - -	
Round-house - - -	
Other inclosed spaces, if any, naming them -	
Total Tonnage - - -	

* If the Ship has not been surveyed for the purpose, the Consul must insert the description as fully and accurately as he can, stating how he has procured it.
† These words to be added if the Ship is Foreign.

I, the undersigned _____, Her Britannic Majesty's Consul at the Port of _____, hereby certify, that,—

1. The Ship, the description of which is prefixed to this my Provisional Certificate, has been duly surveyed, and that the above description is true.*

2. That _____, of _____, is the Master of the said Ship.

3. That the said Ship was built at _____, on the _____ day of _____ 18____, and her foreign name is † _____.

4. That the person whose name is hereunder written has purchased all the shares in the above Ship.

‡ See notice on next page.

APPENDIX D.—(continued).

Name, Residence, and Occupation of the Owner.	Number of Sixty-fourth Shares.

Dated at _____, the _____ day of _____
 one thousand eight hundred and eighty _____.

Her Britannic Majesty's Consul.

NOTE.—This Provisional Certificate of Registry continues in force only until the _____ day of _____ 18____, or until she completes her voyage from _____ to some Port at which there is a British Registrar, whichever first happens.

NOTICE.

If the Vessel is a Steamer the following paragraph is substituted for the paragraph relating to Tonnage above, and the word STEAMER for SAILING SHIP at the top of the Certificate.

TONNAGE.	No. of Tons.	
Tonnage under Tonnage Deck - - - - -		
Closed-in Spaces above the Tonnage Deck, if any, viz. :		
Space or Spaces between Decks - - - - -		
Poop - - - - -		
Round-house - - - - -		
Other inclosed spaces, if any, naming them - - -		
Gross Tonnage - - - - -		
Reduction for space required for propelling power - - -		
Tonnage - - - - -		
Length of Engine-room - - - - -		
Number of Engines - - - - -		
Combined Power (estimated Horse-power) - - -		
Number of Horses-power - - - - -		
Name and Address of Engine-maker - - - - -		

APPENDIX E.

See paragraph 28.

ENTRY OF DISCHARGE OF MORTGAGE ON CERTIFICATE OF
MORTGAGE.

"I hereby attest, that the mortgage indorsed on this certificate,
 " dated the ____ day of ____, for securing to [*name of mort-*
 " *gagee*] the sum of £ [*or otherwise, as the case may be*] has
 " been this day produced to me, and that there is indorsed upon
 " it a receipt for the money secured by the said mortgage, signed
 " by the above-named [*the mortgagee, or some duly authorised*
 " *agent of the mortgagee*], and attested by [*name and address*
 " *of witness*], and dated the ____ day of ____.

(L.S.) "(Signed) _____, *H.B.M. Consul.*

"Dated at ____ this ____ day of ____ 18 ____."

APPENDIX F.

See paragraph 43.

REGISTER BOOK OF BRITISH SHIPS entering the Port of _____.

Name of Ship.	Port of Registry.	Official Number.	Name of Master.	Whence coming.	Whither bound.	Date of Arrival.	Date of Departure.	Remarks, including a short Notice of any Official Duties which the Consul may have been called on to discharge, in respect of the Ship or Crew.

APPENDIX G.

See paragraph 50.

SANCTION OF ENGAGEMENT OF SEAMEN.

"I hereby certify, that I have sanctioned the engagement of
 " *A.B., C.D., &c.* [*names of seamen engaged*] upon the terms
 " mentioned in the within-written agreement, that I have ascer-
 " tained and am satisfied that the said *A.B., C.D., &c.*, fully
 " understand the said agreement, and that they have signed the
 " same in my presence.

" (Signed) _____ *H.B.M. Consul.*

" Dated at _____ this _____ day of _____ 18 ____."

APPENDIX H.

See paragraph 52.

ATTESTATION OF ALTERATION OF AGREEMENT.

"I hereby attest, that the erasure, interlineation, or alteration
 " [*as the case may be*] to the effect [*here specify the effect of the*
 " *alteration*] contained in lines _____ and _____ of the
 " within-written agreement has this _____ day of _____
 " been consented to in my presence by all the [*or if the altera-*
 " *tion affects only some of the parties, name them*] parties to the
 " said agreement.

" (Signed) _____ *H.B.M. Consul.*

" Dated at _____ this _____ day of _____ 18 ____."

APPENDIX I.

See paragraphs 87 and 102.

CERTIFICATE to be INDORSED ON AGREEMENT in case of
DISCHARGE.

" I certify, that the within-named *A.B.* has been discharged
" and left behind at the port of _____, on the alleged ground
" of [*here state fully and specifically the grounds of his being so*
" *discharged and left behind*]; and that I have inquired into the
" matter, and find that [*here state, as the case may be, either that*
" *the allegation is true and the grounds sufficient or not*], and that
" I have accordingly granted [*or refused*] my sanction to his being
" so left, and that £ _____, being wages due to him up to the _____
" day of _____, have been duly paid to him [*or me, as the*
" *case may be*] in cash [*or by bill on Messrs. _____, as the*
" *case may be*] and that his effects consisting of [*here state what*
" *effects*] have been delivered to [*him or me, as the case may be*]
" and that provision has been made for maintaining him and
" sending him back to _____. [*Here state the money*
" *advanced, or other steps, if any, taken by the master for pur-*
" *pose.*]

" (Signed) _____ *H.B.M. Consul.*

" Dated at _____ this _____ day of _____ 18 _____."

APPENDIX J.

See paragraph 111.

COPIES of AGREEMENTS between the BRITISH and FOREIGN
GOVERNMENTS for the MUTUAL RELIEF of DISTRESSED
SEAMEN.

AGREEMENT between the BRITISH and GERMAN GOVERNMENTS
for the MUTUAL RELIEF OF DISTRESSED SEAMEN.

Signed at London, May 27, 1879.

The Government of Her Majesty the Queen of the United
Kingdom of Great Britain and Ireland, and the Government of

His Majesty the German Emperor, King of Prussia, being desirous to make arrangements for the relief of distressed seamen of the two nations in certain cases, the undersigned, duly authorised to that effect, have agreed as follows :—

If a seaman of one of the Contracting States, after serving on board a ship of the other Contracting State, remains behind in a third State or in its Colonies, or in the Colonies of that State whose flag the ship carries, and the said seaman is in a helpless condition in the consequence of shipwreck or from other causes, then the Government of that State whose flag the ship bears shall be bound to support the said seaman until he enters into ship-service again, or finds other employment, or until he arrives in his native State or its Colonies, or dies.

But this is on condition that the seaman so situated shall avail himself of the first opportunity that offers to prove his necessitous condition and the causes thereof to the proper officials of the State whose support is to be solicited, and that the destitution is shown to be the natural consequence of the termination of his service on board the ship, otherwise the aforesaid liability to afford relief lapses.

The said liability is also excluded if the seaman has deserted, or has been turned out of the ship for any criminal act, or has left it on account of disability for service in consequence of illness or wounding resulting from his own fault.

The relief includes maintenance, clothing, medical attendance, medicine, and travelling expenses; in case of death the funeral expenses are also to be paid.

The present Agreement shall come into operation on the 1st July next, and shall continue in force until one of the Contracting Parties shall announce to the other, one year in advance, its intention to terminate it.

In witness whereof the undersigned have signed the present Agreement, and have annexed thereto their seals.

Done at London, this twenty-seventh day of May, 1879.

(L.S.)	SALISBURY.
(L.S.)	MÜNSTER.

APPENDIX J.—(*continued*).AGREEMENT between the BRITISH and FRENCH GOVERNMENTS
for the MUTUAL RELIEF of DISTRESSED SEAMEN.*Signed at London, November 5, 1879.*

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of the French Republic, being desirous to make arrangements for the relief of distressed seamen of the two nations in certain cases, the undersigned, duly authorised to that effect, have agreed as follows :—

If a seaman of one of the Contracting States, after serving on board a ship of the other Contracting State, remains behind in a third State or in its Colonies, or in the Colonies of that State whose flag the ship carries, and the said seaman is in a helpless condition in consequence of shipwreck or from other causes, then the Government of that State whose flag the ship bears shall be bound to support the said seaman until he enters into ship-service again, or finds other employment, or until he arrives in his native State or its Colonies, or dies.

But this is on condition that the seaman so situated shall avail himself of the first opportunity that offers to prove his necessitous condition and the causes thereof to the proper officials of the State whose support is to be solicited, and that the destitution is shown to be the natural consequence of the termination of his service on board the ship; otherwise the aforesaid liability to afford relief lapses.

The said liability is also excluded if the seaman has deserted, or has been turned out of the ship for any criminal act, or has left it on account of disability for service in consequence of illness or wounding resulting from his own fault.

The relief includes maintenance, clothing, medical attendance, medicine, and travelling expenses; in case of death the funeral expenses are also to be paid.

The present agreement shall come into operation on the 1st January 1880, and shall continue in force until one of the Contracting Parties shall announce to the other, one year in advance, its intention to terminate it.

In witness whereof the undersigned have signed the present Agreement, and have affixed thereto the seal of their arms.

Done in duplicate at London, the fifth day of November, 1879.

(L.S.) SALISBURY.

(L.S.) A. POTHUAT.

APPENDIX J.—(continued).

AGREEMENT between the BRITISH and ITALIAN GOVERNMENTS
for the MUTUAL RELIEF of DISTRESSED SEAMEN.*Signed at London, June 8, 1880.*

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of Italy, being desirous to make arrangements for the relief of distressed seamen of the two nations in certain cases, the undersigned, duly authorised to that effect, have agreed as follows:—

If a seaman of one of the Contracting States, after serving on board a ship of the other Contracting State, remains behind in a third State or in its Colonies, or in the Colonies of that State whose flag the ship carries, and the said seaman is in a helpless condition in consequence of shipwreck or from other causes, then the Government of that State whose flag the ship bears shall be bound to support the said seaman until he enters into ship-service again, or finds other employment, or until he arrives in his native State, or its Colonies, or dies.

But this is on condition that the seaman so situated shall avail himself of the first opportunity that offers to prove his necessitous condition and the causes thereof to the proper officials of the State whose support is to be solicited, and that the destitution is shown to be the natural consequence of the termination of his service on board the ship; otherwise the aforesaid liability to afford relief lapses.

The said liability is also excluded if the seaman has deserted, or has been turned out of the ship for any criminal act, or has left it on account of disability for service in consequence of illness or wounding resulting from his own fault.

The relief includes maintenance, clothing, medical attendance, medicine, and travelling expenses; in case of death the funeral expenses are also to be paid.

The present Agreement shall come into operation on the 1st September 1880, and shall continue in force until one of the Contracting Parties shall announce to the other, one year in advance, its intention to terminate it.

In witness whereof the undersigned have signed the present Agreement; and have affixed thereto the seal of their arms.

Done in duplicate at London, the eighth day of June 1880.

(L.S.) GRANVILLE.

(L.S.) LUIGI FEDERIGO MENABREA.

APPENDIX J.—(*continued*).

AGREEMENT between the BRITISH and AUSTRO-HUNGARIAN GOVERNMENTS for the MUTUAL RELIEF of DISTRESSED SEAMEN.

Signed at London, November 26, 1880.

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, being desirous to make arrangements for the relief of distressed seamen of the two nations in certain cases, the undersigned, duly authorised to that effect, have agreed as follows :—

If a seaman of one of the Contracting States, after serving on board a ship of the other Contracting State, remains behind in a third State or in its Colonies, or in the Colonies of that State whose flag the ship carries, and the said seaman is in a helpless condition in consequence of shipwreck or from other causes, then the Government of that State whose flag the ship bears shall be bound to support the said seaman until he enters into ship-service again, or finds other employment, or until he arrives in his native State or its Colonies, or dies.

But this is on condition that the seaman so situated shall avail himself of the first opportunity that offers to prove his necessitous condition and the causes thereof to the proper officials of the State whose support is to be solicited, and that the destitution is shown to be the natural consequence of the termination of his service on board the ship; otherwise the aforesaid liability to afford relief lapses.

The said liability is also excluded if the seaman has deserted, or has been turned out of the ship for any criminal act, or has left it on account of disability for service in consequence of illness or wounding resulting from his own fault.

The relief includes maintenance, clothing, medical attendance, medicine, and travelling expenses; in case of death the funeral expenses are also to be paid.

The present Agreement, after being consented to by the Austrian and Hungarian Legislative Bodies, and approved by His Imperial and Royal Apostolic Majesty, shall come into operation in the United Kingdom of Great Britain and Ireland, and in Austria-Hungary, on the same day, and shall continue in force until one of the Contracting Parties shall announce to the other, one year in advance, its intention to terminate it.

APPENDIX J.—(*continued.*)

In witness whereof the undersigned have signed the present Agreement, and have affixed thereto their seals.

Done at London the twenty-sixth day of November 1880.

(L.S.)	GRANVILLE.
(L.S.)	HENGELMÜLLER.

AGREEMENT between the GOVERNMENTS of GREAT BRITAIN and SWEDEN and NORWAY for the MUTUAL RELIEF of DISTRESSED SEAMEN.

Signed at London, July 12, 1881.

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of Sweden and Norway, being desirous to make arrangements for the relief of distressed seamen of the respective nations in certain cases, the undersigned, duly authorised to that effect, have agreed as follows :—

If a seaman of one of the Contracting States, after serving on board a ship of the other Contracting State, remains behind in a third State or in its Colonies, or in the Colonies of that State whose flag the ship carries, and the said seaman is in a helpless condition in consequence of shipwreck or from other causes, then the Government of that State whose flag the ship bears shall be bound to support the said seaman until he enters into ship-service again, or finds other employment, or until he arrives in his native State or in its Colonies, or dies.

But this is on condition that the seaman so situated shall avail himself of the first opportunity that offers to prove his necessitous condition and the causes thereof to the proper officials of the State whose support is to be solicited, and that the destitution is shown to be the natural consequence of the termination of his service on board the ship ; otherwise the aforesaid liability to afford relief lapses.

The said liability is also excluded if the seaman has deserted, or has been turned out of the ship for any criminal act, or has left it on account of disability for service in consequence of illness or wounding resulting from his own fault.

APPENDIX J.—(continued).

The relief includes maintenance, clothing, medical attendance, medicine, and travelling expenses; in case of death the funeral expenses are also to be paid.

The present Agreement shall come into operation on the 1st September 1881, and shall continue in force until one of the Contracting Parties shall announce to the other, one year in advance, its intention to terminate it.

In witness whereof the undersigned have signed the present Agreement, and have affixed thereto the seal of their arms.

Done in duplicate at London, the 12th day of July 1881.

(L.S.) GRANVILLE.

(L.S.) PIPER.

AGREEMENT between the GOVERNMENTS of GREAT BRITAIN and DENMARK for the MUTUAL RELIEF of DISTRESSED SEAMEN.

Signed at London, July 25, 1893.

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of Denmark, being desirous to make arrangements for the relief of distressed seamen of the two nations in certain cases, the undersigned, duly authorised to that effect, have agreed as follows:—

If a seaman of one of the Contracting States, after serving on board a ship of the other Contracting State, remains behind in a third State or in its Colonies, or in the Colonies of that State whose flag the ship carries, and the said seaman is in a helpless condition in consequence of shipwreck or from other causes, then the Government of that State whose flag the ship bears shall be bound to support the said seaman until he enters into ship-service again, or finds other employment, or until he arrives in his native State or its Colonies, or dies.

But this is on condition that the seaman so situated shall avail himself of the first opportunity that offers to prove his necessitous condition, and the causes thereof, to the proper officials of the State whose support is to be solicited, and that the destitution is shown to be the natural consequence of the termination of his service on board the ship; otherwise the aforesaid liability to afford relief lapses.

APPENDIX J.—(continued.)

The said liability is also excluded if the seaman has deserted, or has been turned out of the ship for any criminal act, or has left it on account of disability for service in consequence of illness or wounding resulting from his own fault.

The relief includes maintenance, clothing, medical attendance, medicine, and travelling expenses; in case of death the funeral expenses are also to be paid.

The present Agreement shall come into operation on the 1st November 1883, and shall continue in force until one of the Contracting Parties shall announce to the other, one year in advance, its intention to terminate it.

In witness whereof the undersigned, duly authorised for that purpose, have signed the present Agreement, and have affixed thereto the seal of their arms.

Done at London in duplicate the twenty-fifth day of July, in the year of our Lord one thousand eight hundred and eighty-three.

(L.S.)	GRANVILLE.
(L.S.)	FALBE.

APPENDIX K.

See paragraph 152.

FORM of AFFIDAVIT to be made by a DISTRESSED SEAMAN belonging to CANADA, and who last served in a CANADIAN VESSEL.

I, the undersigned _____ late _____ of the Ship _____ of _____ Official Number _____ temporarily resident at _____ do solemnly and sincerely declare as follows :—

- (1.) That I belong to the Dominion of Canada, having been domiciled there for a period of 12 months.

(2.) That I shipped on my last voyage at _____ in
the Dominion of Canada.

* (3.) That I am desirous of returning to Canada.

And I make this solemn declaration conscientiously believing the
same to be true.

Declared before me at _____ }
the _____ day of _____ }
18 ____.

Title of Officer _____.

APPENDIX L.

See paragraph 153.

FORM of UNDERTAKING to be signed by DISTRESSED MASTERS
who have received CONSULAR RELIEF to repay the EXPENSES
incurred.

Port of _____.

I _____ Master of the _____ of _____
O, N., _____ being now destitute and unable to obtain
credit or private assistance, do hereby promise and guarantee to
repay to the Board of Trade on my arrival in the United Kingdom,
or on obtaining the necessary funds abroad, all expenses incurred
by Her Majesty's Government on my behalf.

Witness to Master's signature _____.

Dated _____ 188 ____.

Address of Master _____.

* To be omitted in cases where seamen can be furnished with employment
at the port, or where it is advisable for economical reasons to send them to a
port out of Canada.

APPENDIX M.

See paragraph 156.

ORDER of LOCAL GOVERNMENT BOARD relating to CHOLERA.

15,709.

(12th July 1883.)

Cholera Regulations.PORT OF LONDON.*

TO THE PORT SANITARY AUTHORITY OF THE PORT OF LONDON;—

To all Officers of Customs ;—

To the Medical Officer of Health of the said Port Sanitary Authority ;—

To all Masters of Ships;—

And to all others whom it may concern.

WHEREAS We, the Local Government Board, by an Order bearing date the 17th day of July 1873, made certain rules and regulations with a view to the treatment of persons affected with Cholera, and for preventing the spread of the disease ;

And whereas We have, by an Order of this date, rescinded the said Order, except in so far as it may apply to any proceedings now pending ;

And whereas Cholera is now prevalent in certain parts of Egypt with which this country has communication, and it is expedient that, in place of the rules and regulations made by the said Order, other rules and regulations as herein-after contained should be made with regard to the Port of London :

NOW, THEREFORE, We, the Local Government Board, do, by this Our Order, and in exercise of the power conferred on Us by Section 52 of the Sanitary Act, 1866, and Section 130 of the Public Health Act, 1875, and every other power enabling Us in this behalf, make the following rules and regulations, and declare that they shall be enforced and executed by the Port Sanitary Authority for the Port of London :—

* Note.—A similar Order was issued to all Port Sanitary Authorities.

Definitions.

Art. 1.—In this Order—

The term “ship” includes vessel or boat;

The term “Officer of Customs” includes any person acting under the authority of the Commissioners of Customs;

The term “Master” includes the officer or person for the time being in charge or command of a ship;

The term “Cholera” includes Choleraic Diarrhœa;

The term “Sanitary Authority” means the Port Sanitary Authority of the Port of London;

The term “Medical Officer of Health” includes any duly qualified Medical Practitioner appointed by the Sanitary Authority to act in the execution of this Order :

For the purposes of this Order every ship shall be deemed infected with Cholera, in which there is or has been, during the voyage or during the stay of such ship in a port in the course of such voyage, any case of Cholera.

I.—Regulations as to Detention by Officers of Customs.

Art. 2.—If any Officer of Customs, on the arrival of any ship in the Port of London, ascertain from the master of such ship or otherwise, or have reason to suspect, that the ship is infected with Cholera, he shall detain such ship, and order the master forthwith to moor or anchor the same in such position as such Officer of Customs shall direct; and thereupon the master shall forthwith moor or anchor the ship accordingly.

Art. 3.—Whilst such ship shall be so detained, no person shall leave the same.

Art. 4.—The Officer of Customs detaining any ship as aforesaid shall forthwith give notice thereof, and of the cause of such detention, to the Sanitary Authority.

Art. 5.—Such detention by the Officer of Customs shall cease as soon as the ship shall have been duly visited and examined by the Medical Officer of Health; or, if the ship shall, upon such examination, be found to be infected with Cholera, as soon as the same shall be moored or anchored in pursuance of Art. 10 of this Order.

Provided, that if the examination be not commenced within twelve hours after notice given as aforesaid, the ship shall, on the expiration of the said twelve hours, be released from detention.

II.—*Regulations as to Sanitary Authorities.*

Art. 6.—The Sanitary Authority shall, as speedily as practicable, with the approval of the Chief Officer of Customs of the port, fix some place within the jurisdiction of the Sanitary Authority where any ship may be moored or anchored, for the purpose of Art. 10; and shall make provision for the reception of Cholera patients and persons suffering from illness removed under Arts. 13 and 14.

Art. 7.—The Sanitary Authority, on notice being given to them by an Officer of Customs, under this Order, shall forthwith cause the ship in regard to which such notice shall have been given, to be visited and examined by the Medical Officer of Health for the purpose of ascertaining whether she is infected with Cholera.

Art. 8.—The Medical Officer of Health, if he have reason to believe that any ship within the jurisdiction of the Sanitary Authority, whether examined by the Officer of Customs or not, is infected with Cholera, shall, or if she have come from a place infected with Cholera, may, visit and examine such ship, for the purpose of ascertaining whether she is so infected; and the master of such ship shall permit the same to be so visited and examined.

Art. 9.—If the Medical Officer of Health on making such examination as aforesaid (whether under Art. 7 or 8), shall be of opinion that the ship is infected, he shall give a certificate in duplicate in the following Form, or to the like effect, and shall deliver one copy to the master and retain the other or transmit it to the Sanitary Authority.

Certificate.

_____ day of _____ 188 .

PORT SANITARY AUTHORITY OF THE PORT OF LONDON.

I hereby certify that I have examined the ship _____
of _____, now lying in the Port of London [*or detained*
at _____], and that I find that she is infected with Cholera.

Medical Officer of Health [or Medical Practitioner appointed
by the Sanitary Authority].

Art. 10.—The master of every ship so certified to be infected with Cholera shall thereupon moor or anchor her at the place fixed for that purpose under Art. 6, and she shall remain there until the requirements of this Order have been duly fulfilled.

Art. 11.—No person shall leave any such ship until the examination herein-after mentioned shall have been made.

Art. 12.—The Medical Officer of Health shall, as soon as possible after any such ship has been certified to be infected with Cholera, examine all persons on board of the same, and all persons who shall not be certified by him, as hereafter mentioned, shall be permitted to land immediately on their giving their names and the places of their destinations.

Art. 13.—Every person certified by the Medical Officer of Health to be suffering from Cholera shall be dealt with under any regulations that may have been made by the Sanitary Authority under Section 29 of the Sanitary Act, 1866; or, where no such regulations shall have been made, shall be removed, if the condition of the patient admit of it, to some hospital or place previously appointed for that purpose by the said Authority; and no person so removed shall leave such hospital or place until the Medical Officer of Health shall have certified that such person is free from the said disease.

If any person suffering from Cholera cannot be removed, the ship shall remain subject, for the purposes of this Order, to the control of the Medical Officer of Health; and the infected person shall not be removed from or leave the ship, except with the consent in writing of the Medical Officer of Health.

Art. 14.—Any person certified by the Medical Officer of Health to be suffering from any illness which such Officer suspects may prove to be Cholera, may either be detained on board the ship for any period not exceeding two days, or taken to some hospital or other place previously appointed by the Sanitary Authority, and detained there for a like period, in order that it may be ascertained whether the illness is or is not Cholera.

Any such person who, while so detained, shall be certified by the Medical Officer of Health to be suffering from Cholera, shall be dealt with as provided by Article 13 of this Order.

Art. 15.—The Medical Officer of Health shall, in the case of every ship certified to be infected, give directions, and take such steps as may appear to him to be necessary, for preventing the

spread of infection, and the master of the said ship shall forthwith carry into execution such directions as shall be so given to him.

Art. 16.—In the event of any death from Cholera taking place on board such ship while so detained, the master shall, as directed by the Sanitary Authority or the Medical Officer of Health, either cause the dead body to be taken out to sea, and committed to the deep, properly loaded to prevent its rising, or shall deliver it into the charge of the said Authority for interment; and the Authority shall thereupon have the same interred.

Art. 17.—The master shall cause any articles that may have been soiled with Cholera discharges to be destroyed, and the clothing and bedding and other articles of personal use likely to retain infection which have been used by any person who may have suffered from Cholera on board such ship, or who, having left such ship, shall have suffered from Cholera during the stay of such ship in any Port, to be disinfected or (if necessary) destroyed; and if the master shall have neglected to do so before the ship arrives in port, he shall forthwith, or upon the direction of the Sanitary Authority or the Medical Officer of Health, cause the same to be disinfected or destroyed, as the case may require; and if the said master neglect to comply with such direction within a reasonable time, the Authority shall cause the same to be carried into execution.

Art. 18.—The master shall cause the ship to be disinfected, and every article therein, other than those last described, which may probably be infected with Cholera, to be disinfected or destroyed, according to the directions of the Medical Officer of Health.

Given under the Seal of Office of the Local Government Board, this Twelfth day of July, in the year One thousand eight hundred and eighty-three.

I..S.

CHARLES W. DILKE,
President.

HUGH OWEN,
Secretary.

NOTICE.—The Public Health Act, 1872, provides by Section 52, which is extended to the Metropolis by Section 52 of the Sanitary Law Amendment Act, 1874, that any person wilfully

neglecting, or refusing to obey or carry out, or obstructing the execution of any regulation made under Section 52 of the Sanitary Act, 1866, shall be liable to a penalty not exceeding *Fifty Pounds*, and Section 130 of the Public Health Act, 1875, makes similar provision as to regulations under that Section.

Date of publication in the London Gazette, 13th July 1883.

APPENDIX N.

See paragraph 157.

BIRTHS and DEATHS REGISTRATION ACT, 1874.

Sect. 37. The provisions of this Act, save as is herein expressly provided, shall not apply to the registration of births and deaths, Registration
of births and
deaths at sea. on board a vessel at sea, with respect to which the following provisions shall have effect :

- (1.) The Captain or Master of or other person having the command or charge of a British ship shall, as soon as may be after the occurrence of the birth of a child or the death of a person on board such ship, record in his log book or otherwise the fact of such birth or death, and the particulars required by the fourth schedule to this Act to be registered concerning such birth or death, or such of them as may be known to him, and shall, (unless the ship is one of Her Majesty's ships,) upon the arrival of such ship at any port of the United Kingdom, or at such other time or place as the Board of Trade may from time to time with respect to any ship or class of ships direct, deliver or send in such form and manner as the Board of Trade may from time to time direct, a return of the facts so recorded to the Registrar General of Shipping and Seamen.
- (2.) Where a ship which is not a British ship carries passengers to or from any port of the United Kingdom as the port of destination or the port of departure of such ship, the provisions of this section shall apply to the Captain or Master of or other person having the command or charge of such ship, in like manner as if it were a British ship.

APPENDIX N.—(continued).

- (3.) Where the said return is directed by the Board of Trade (whether the ship is British or foreign) to be delivered upon the arrival of the ship, or the discharge of the crew, or otherwise, at any port or place out of the United Kingdom, the Board of Trade may, if they think fit, direct that the return, instead of being delivered to the Registrar General of Shipping and Seamen, shall be delivered, and the same shall accordingly be delivered, if such port or place is within Her Majesty's dominions, to the shipping master or collector of customs at such port or place, and if it is a foreign port or place, to the principal British consular officer at the said foreign port or place, and such shipping master, collector, or officer shall send the same, as soon as may be, by post or otherwise, to the Registrar General of Shipping and Seamen.
- (4.) Where it appears from any such return that the father of any child so born, or if the child is a bastard the mother of such child, was a Scotch or Irish subject of Her Majesty, or that any person whose death is mentioned in such return was a Scotch or Irish subject of Her Majesty, the Registrar General of Shipping and Seamen shall from time to time send a certified copy of so much of the return as relates to such birth or death to the Registrar General of Births and Deaths in Scotland or Ireland, as the case may require.
- (5.) The Registrar General of Shipping and Seamen shall from time to time send to the Registrar General of Births and Deaths in England a certified copy of every other such return, or of that part of every such return which is not so sent to the Registrar General of Births and Deaths in Scotland or Ireland.
- (6.) A Captain of or other person having charge of one of Her Majesty's ships shall, upon the arrival of any such ship in any port of the United Kingdom, or at such other time as the Commissioners of the Admiralty may from time to time direct, deliver or send, in such manner and form as the said Commissioners may from time to time direct a return of the facts recorded in pursuance of this section to that Registrar General of Births and Deaths to whom a copy of such return would, if the ship were a merchant

APPENDIX N.—(continued).

ship, be sent under the provisions of this section by the Registrar General of Shipping and Seamen.

- (7.) Every Registrar General of Births and Deaths to whom a copy of any return or a return is sent in pursuance of this section shall cause the same to be filed and preserved in or copied in a book to be kept by him for the purpose and to be called a marine register book, and such book shall be deemed to be a certified copy of a register book within the meaning of the Acts relating to the registration of births and deaths in England, Scotland, and Ireland respectively.
- (8.) Every Captain or Master of or other person having charge of a ship who fails to comply with this section shall be liable to a penalty not exceeding five pounds for each offence; and such penalty may be recovered in the same courts and places and in the like manner, and when recovered shall be applied in like manner, as a penalty under the Merchant Shipping Act, 1854.
- (9.) This section shall extend to all places and persons within British jurisdiction.
- (10.) Terms in this section shall have the same meaning as in the Merchant Shipping Act, 1854.

Sect. 45. The Acts specified in the fifth schedule to this Act are hereby repealed, from and after the commencement of this Act, to the extent specified in the third column of that schedule. Repeal of Acts in Schedule.

Provided that this repeal shall not affect—

- (a.) Anything duly done or suffered under any enactment hereby repealed, or the proof of any past act or thing;
- (b.) Any right, privilege, obligation, or liability acquired, accrued, or incurred under any enactment hereby repealed; or
- (c.) Any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment hereby repealed; or
- (d.) Any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid; and any such investigation, legal proceeding, and remedy may be carried on as if this Act had not passed.

APPENDIX N.—(continued).

FOURTH SCHEDULE.

*Particulars to be registered by Captain of a ship concerning
a birth at sea.*

Date of birth.

Name (if any) and sex of the child.

Name and surname, and rank, profession, or occupation of the
father.

Name and surname, and maiden surname of mother.

Nationality and last place of abode of the father and mother.

*Particulars to be registered by Captain of a ship concerning
a death at sea.*

Date of death.

Name and surname.

Sex.

Age.

Rank, profession, or occupation.

Nationality and last place of abode.

Cause of death.

FIFTH SCHEDULE.

A description or citation of a portion of an Act is inclusive of the words, section, or other part first or last mentioned, or otherwise referred to as forming the beginning or as forming the end of the portion comprised in the description or citation.

Portions of Acts which have already been specifically repealed are in some instances included in the repeal in this schedule, in order to preclude henceforth the necessity of looking back to previous Acts.

Session and Chapter.	Title or Abbreviated Title.	Extent of Repeal.
6 & 7 Will. 4. c. 86.	An Act for registering births, deaths, and marriages in England.	Sections one, four, twelve, and sixteen, section eighteen from "as herein- " after provided at a rea- " sonable price" to the end of the section, sections nineteen to twenty-eight, section thirty-six, section thirty-nine from "according to the pro- " visions of " to the end of the section, so much of sections forty one, forty two, and forty-four as relates to registrars or registers of births and deaths, sections forty-five and fifty, and schedules (E.), (F.), and (G.).

APPENDIX N.—(continued).

Session and Chapter.	Title or Abbreviated Title.	Extent of Repeal.
7 Will. 4. & 1 Vict. c. 22.	An Act to explain and amend two Acts passed in the last session of Parliament for marriages, and for registering births, deaths, and marriages in England.	Sections, two, four, six, thirteen, sixteen, twenty-one, twenty-five, and thirty-one.
17 & 18 Vict. c. 80. -	An Act to provide for the better registration of births, deaths, and marriages in Scotland.	Sections thirty and forty-three.
17 & 18 Vict. c. 104. -	The Merchant Shipping Act, 1854.	Sections two hundred and seventy-three and two hundred and eighty-two so far as they relate to the entry of any birth or death.
18 & 19 Vict. c. 119. -	Passengers Act, 1855	Section sixteen from "and the said master shall note in writing" down to "An Act for registering births, deaths, and marriages in England," and section one hundred from "such emigration or customs officer" to the end of the section.
21 & 22 Vict. c. 25. -	An Act to amend the Act concerning non-parochial registers, and the Acts for marriages, and for registering births, deaths, and marriages, in England, and concerning vaccination.	The whole Act, except sections one to four.
26 & 27 Vict. c. 11. -	An Act for the registration of births and deaths in Ireland.	Sections thirty-nine and forty.

APPENDIX N.—(continued).

MERCHANT SHIPPING ACT, 1854.

Lists to be made for all ships containing certain particulars.

Sect. 273. Every Master of every foreign-going ship of which the crew is discharged in the United Kingdom, in whatever part of Her Majesty's dominions the same is registered, and of every home-trade ship, shall make out and sign a list in a form sanctioned by the Board of Trade, containing the following particulars; (that is to say,)

- (1.) The number and date of the ship's register and her registered tonnage;
- (2.) The length and general nature of the voyage or employment;
- (3.) The Christian names, surnames, ages, and places of birth of all the crew, including the Master and apprentices; their qualities on board their last ships, or other employments, and the dates and places of their joining the ship;
- (4.) *The names of any members of the crew who have died or otherwise ceased to belong to the ship, with the times, places, causes, and circumstances thereof;*
- (5.) The names of any members of the crew who have been maimed or hurt, with the times, places, causes, and circumstances thereof;
- (6.) The wages due to any of the crew who have died, at the time of their respective deaths;
- (7.) The clothes and other effects belonging to any of the crew who have died, with a statement of the manner in which they have been dealt with, and the money for which any of them have been sold;
- (8.) *The name, age, and sex of every person, not being one of the crew, who dies on board, with the date and the cause thereof;*
- (9.) *Every birth which happens on board, with the date thereof, the sex of the infant, and the names of the parents;*
- (10.) Every marriage which takes place on board, with the date thereof, and the names and ages of the parties.

Sect. 282. Every Master of a ship for which an official log book is hereby required shall make or cause to be made therein entries of the following matters; (that is to say,)

- (1.) Every legal conviction of any member of his crew, and the punishment inflicted;

Entries required in official log.

Convictions.

APPENDIX N.—(continued).

- (2.) Every offence committed by any member of his crew for Offences.
which it is intended to prosecute or to enforce a forfeiture, or to exact a fine, together with such statement concerning the reading over such entry, and concerning the reply (if any) made to the charge as herein-before required :
- (3.) Every offence for which punishment is inflicted on board, Punishments.
and the punishment inflicted :
- (4.) A statement of the conduct, character, and qualifications Conduct, &c.
of each of his crew, or a statement that he declines to of crew.
give an opinion on such particulars :
- (5.) Every case of illness or injury happening to any member Illness and
of the crew, with the nature thereof, and the medical injuries.
treatment adopted (if any) :
- (6.) Every case of death happening on board, and of the cause Deaths.
thereof :
- (7.) Every birth happening on board, with the sex of the Births.
infant, and the names of the parents :
- (8.) Every marriage taking place on board, with the names Marriages.
and ages of the parties :
- (9.) The name of every seaman or apprentice who ceases to be Quitting ship.
a member of the crew otherwise than by death, with
the place, time, manner, and cause thereof :
- (10.) The amount of wages due to any seaman who enters Her Wages of men
Majesty's service during the voyage : entering navy.
- (11.) The wages due to any seaman or apprentice who dies Wages of de-
during the voyage, and the gross amount of all deductions ceased seamen.
to be made therefrom :
- (12.) The sale of the effects of any seaman or apprentice who Sale of
dies during the voyage, including a statement of each deceased
article sold, and of the sum received for it : men's effects.
- (13.) Every collision with any other ship, and the circumstances Collisions.
under which the same occurred.

PASSENGERS ACT, 1855.

Sect. 16. The Master of every ship, whether a "passenger ship" or otherwise, carrying passengers on any voyage to which this Act extends, shall, before demanding a clearance for such ship, sign two lists made out according to the form contained in

Passengers lists to be delivered in duplicate by the Master

APPENDIX N.—*continued.*

before
clearance.
(Amended by
including cabin
passengers.
26 & 27 Vict.
c. 51. s. 5.)

Returns of
deaths and
births at sea to
be sent to the
Registrar-
General by
Consuls and
Custom House
Officers abroad.

Repealed by
s. 54, and re-
placed by s. 37.
Registration of
Births and
Deaths, 1874.

6 & 7 W. 4.
c. 86.

List of pas-
sengers
brought into
the United
Kingdom, to be
delivered by
the Master of
the ship to the
Emigration
Officer.

Schedule (B.) hereto annexed, correctly setting forth in the manner therein directed the name and other particulars of the ship, and of every passenger on board thereof; and the said lists when countersigned by the Emigration Officer, where there is one at the port, shall be delivered by the Master to the Officer of the Customs from whom a clearance of the said ship shall be demanded, and such Officer shall thereupon also countersign and return to the said Master one of such lists, herein-after called "*the Master's list*," and the said Master shall note in writing on such last-mentioned lists, and on any additional lists to be made out as next herein-after provided, the date and supposed cause of death of any passenger who may die, and the date of birth and sex of any child who may be born on the voyage, and shall exhibit such last-mentioned list, with any additions which may from time to time be made thereto, as herein-after directed, to the Chief Officer of Customs at any port or place in Her Majesty's possessions or to Her Majesty's Consular Officer at any foreign port at which the said passengers or any of them shall be landed, and shall deposit the same with such Chief Officer of Customs or such Consular Officer, as the case may be, at the final port or place of discharge, and such Officer of Customs or Consular Officer shall thereupon forthwith transmit the particulars respecting any passenger who may die, or of any child who may be born on the voyage, to the Registrar General of Births, Deaths, and Marriages in England, who shall file the same and enter a copy thereof under his hand in the "*Marine Register Book*," which entry shall be dealt with and be of the same value as evidence as any other entry made in such book under the provisions of an Act passed in the Session of Parliament held in the sixth and seventh years of the reign of Her present Majesty, intituled "*An Act for registering Births Deaths, and Marriages in England*." In case of non-compliance with any of the requirements of this section on the part of the Master, or if such lists shall be wilfully false, the Master shall for each offence be liable to a penalty not exceeding one hundred pounds nor less than five pounds sterling.

Sect. 100. The master of every ship bringing passengers into the United Kingdom from any place out of Europe, and not within the Mediterranean Sea, shall, within twenty-four hours after arrival, deliver to the Emigration Officer or his assistant, or in their absence to the Chief Officer of Customs at the port of arrival, a correct list, signed by such Master, and specifying the names,

APPENDIX N.—(continued).

ages, and callings of all the passengers embarked, and also the port or ports at which they respectively may have embarked, and showing which, if any, of them may have died, with the supposed cause of death, or been born on the voyage; and if any Master shall fail so to deliver such list, or if the same shall be wilfully false, he shall, on conviction, as herein-before mentioned, be liable to a penalty not exceeding fifty pounds. *Such Emigration or Customs Officer shall upon receipt of such list transmit the particulars respecting any passenger named therein who may have died, with the supposed cause of death, or been born on the voyage, to the Registrar General of Births, Deaths, and Marriages, who shall file the same and enter a copy thereof under his hand in the "Marine Register Book," which entry shall be dealt with and be of the same value as evidence as any other entry made in such book under the provisions of an Act passed in the Session of Parliament held in the sixth and seventh years of the reign of Her present Majesty, intituled An Act for registering Births, Deaths, and Marriages in England.*

Penalty for neglect.
Returns of births and deaths at sea to be made to the Registrar General.
Voyages to the United Kingdom. This portion of the section is repealed by a. 64, and other provisions enacted in a. 37 of Registration of Births and Deaths Act, 1874.

6 & 7 W. 4. c. 86.

APPENDIX O.

See paragraphs 171 and 172.

ARRANGEMENT between the BRITISH and FRENCH GOVERNMENTS relative to the DISPOSAL of PROPERTY under the value of 50*l.* of SEAMEN belonging to the ROYAL NAVY or MERCHANT SERVICE dying on board British or French Vessels, or on shore upon British or French Territories.—1866–1867.

M. L'AMBASSADEUR, Foreign Office, June 20th, 1866.

WITH reference to my letter of the 16th ultimo respecting the succession to certain property left by William King, a British seaman who died in the hospital of Goree, I have the honour to acquaint your Excellency that I have now been requested by the Lords Commissioners of the Admiralty to convey to your Excellency their acceptance of the offer of the French Government to cause the property left by the deceased, or the sum which it may have realised, to be transmitted at once to the Accountant-General of the Navy, without requiring the usual proofs of succes-

APPENDIX O.—(continued).

sion, on the understanding that such a mode of proceeding shall be considered of a reciprocal character as regards this country and France.

I have, &c.

(Signed) CLARENDON.

The Prince de la Tour d'Auvergne.

M. L'AMBASSADEUR,

Foreign Office, January 7th, 1867.

I DID not fail to refer to the Lords, &c. of Trade your Excellency's note of the 17th ultimo requesting that steps might be taken to transfer into the hands of the French Consul-General in London, without requiring the usual proofs or succession, the property left by M. H. Levasseur, a French subject who died at Moulmain on the 27th of April last, whilst serving as a seaman on board the British merchant vessel "India."

Your Excellency founds this request upon the arrangement which has been entered into with the French Government with respect to the property of seamen of the Royal and Imperial Navies dying in the territory, or on board the vessels of either State, but this arrangement does not apply to the present case.

I have, therefore, the honour to acquaint your Excellency with the observations made by the Lords of Trade upon your proposal.

They state that by the 199th section of the Merchant Shipping Act of 1854 (17 & 18 Vict. cap. 104),* of which I enclose a copy, the Board of Trade is empowered without probate or letters of administration to administer the money and effects of seamen dying during the voyage of a British merchant vessel, if the amount is under 50*l.* in value, but if it should exceed 50*l.* the Board of Trade are bound to pay the money to the legal personal representatives of the deceased.

* S. 199. If the money and effects of any deceased seaman or apprentice paid, delivered, or remitted to the Board of Trade or its agents, including the moneys received for any part of the said effects, which have been sold either before delivery to the Board of Trade, or by its direction, do not exceed in value the sum of 50*l.*, then, subject to the provisions herein-after contained, and to all such deductions for expenses incurred in respect of the seaman or apprentice, or of his said money and effects, as the said Board thinks proper to allow; the said Board may, if it thinks fit so to do, pay and deliver the said money and effects either to any claimants who can prove themselves to the satisfaction of the said Board either to be his widow or children, or to be entitled to the effects of the deceased under his will (if any), or under the statutes for the distribution of the effects of intestates, or

APPENDIX O.—(*continued*).

Her Majesty's Government are therefore prepared to enter into a further agreement with the French Government to hand over to the French Consul-General in London without the usual formalities, the money and effects of French Seamen under the value of 50*l.*, delivered to the Board of Trade under the provisions of the Merchant Shipping Act of 1854, provided His Imperial Majesty's Government are able and willing to engage to deliver over to Her Majesty's Government the property of British seamen, whether belonging to the Royal Navy or not, dying on board French vessels, or on shore upon French Territory, if such a case should occur, and I beg leave to add that on learning that such an arrangement is concluded the Board of Trade will at once hand over the 6*l.* 14*s.* 2*d.*, due to the estate of the late M. H. Levasseur, to the French Consul-General in London.

I have, &c.

(Signed) STANLEY.

The Prince de la Tour d'Auvergne.

MONSIEUR LE MINISTRE,

Londres, le 6 Février 1867.

JE me suis empressé de communiquer au Gouvernement de l'Empereur la réponse que votre Excellence m'a fait l'honneur de m'adresser le 7 Janvier dernier relativement à la succession du matelot Français Levasseur décédé sur le navire Anglais "India" à Maulmain. Il résultait de ce document que dans l'opinion du Gouvernement de la Reine l'arrangement intervenu à l'occasion du Sr. King, sujet Anglais mort en 1864 à l'hôpital de Gorée ne devait s'appliquer qu'aux individus ayant fait partie des équipages des marines de guerre des deux pays et que pour en entendre les

under any other statute, or at common law; or to be entitled to procure probate, or take out letters of administration or confirmation, although no probate or letters of administration or confirmation have been taken out, and shall be thereby discharged from all further liability in respect of the money and effects so paid and delivered; or may, if it thinks fit so to do, require probate or letters of administration or confirmation to be taken out, and thereupon pay and deliver the said money and effects to the legal personal representatives of the deceased, and all claimants to whom such money or effects are so paid or delivered, shall apply the same in due course of administration, and if such money and effects exceed in value the sum of 50*l.*, then, subject to the provisions herein-after contained, and to deduction for expenses, the Board of Trade shall pay and deliver the same to the legal personal representatives of the deceased.

APPENDIX O.—(continued).

dispositions aux mâtelots du commerce une nouvelle entente devenait nécessaire.

Il serait toutefois spécifié, ajoutait votre Excellence, qu'il s'agirait uniquement de successions ne dépassant pas 50 livres sterling, limits dans laquelle le droit de gestion du "Board of Trade" est renfermé légalement par le Merchant Shipping Act de 1854.

M. le Marquis de Moustier m'annonce aujourd'hui et je m'empresse de porter à votre connaissance que M. le Ministre de la Marine auquel il a communiqué ces propositions y donne sa pleine et entière adhésion.

Je vous serais en conséquence reconnaissant, Monsieur le Ministre, de vouloir bien prendre les mesures nécessaires pour faire verser entre les mains de notre Consul Général à Londres le montant de la succession du mâtelot Levasseur qui serait de 6*l.* 14*s.* 2*d.*

Veuillez agréer en même temps que mes remerciements anticipés l'assurance de la très haute considération avec laquelle j'ai l'honneur d'être, &c., &c.

(Signé) PRINCE DE LA TOUR D'Auvergne.

Lord Stanley.

ARRANGEMENT between the BRITISH and SWEDISH GOVERNMENTS relative to the DISPOSAL of PROPERTY under the value of 50*l.* of SEAMEN belonging to the ROYAL NAVY or MERCHANT SERVICE dying on board British or Swedish Vessels, or upon British, Swedish, or Foreign Territory.—July–November, 1868.

Foreign Office, July 20, 1868.

THE undersigned, &c. having learnt from Baron Hochschild, &c. that the Swedish Government are desirous to come to an understanding with Her Majesty's Government regarding the dispositions to be taken in regard to the property of deceased seamen of the two nations, has now the honour to communicate to Baron Hochschild the following arrangement, which he trusts may meet the views of the Swedish Government, but which is now proposed on the understanding that it shall be considered reciprocal as regards both Governments.

So far as the effects of deceased seamen serving in the Royal Navies are concerned, the Lords Commissioners of the Admiralty

APPENDIX O.—(*continued*).

have notified to the undersigned that in the case of a Swedish or other foreign seaman serving in a foreign navy and dying in British territory or in a British hospital, their Lordships are prepared to hand over his effects to the representative or Government of his nation on condition of reciprocal treatment as regards the effects of British seamen in Her Majesty's Navy dying in Swedish or other foreign territory or hospitals.

The Lords of the Admiralty regret that they are unable to extend this arrangement to meet the case, supposing one to arise, of a foreign seaman having served in Her Britannic Majesty's Navy leaving at his decease assets payable by the Board of Admiralty, as an existing Act of Parliament* renders it illegal so to dispose of property accrued to a deceased seaman in respect of such service.

In the case, however, where the deceased seaman belonged to the Merchant Service, the Lords of the Committee of Privy Council for Trade will be prepared to hand over to the Swedish Mission, or to such other authority as may be indicated by the Swedish Government, without probate or letters of administration, the money and effects of Swedish seamen when the value does not exceed 50*l.*, which may have been delivered to the Board of Trade under the provisions of the Merchant Shipping Act.

The arrangement thus proposed will apply in the case of the Merchant Navy to the property of deceased seamen as above set forth, whether those seamen died on shipboard or within the territories of the respective Sovereigns.

The undersigned, in now communicating to Baron Hochschild the terms of the arrangement thus proposed, has only to add that so far as this country is concerned it will come into operation as soon as the concurrence of the Swedish Government is notified to Her Majesty's Government.

I have, &c.

Baron Hochschild.

(Signed) STANLEY.

MY LORD,

Londres, le 10 Novembre 1868.

PAR un office du 30 Mars dernier j'ai eu l'honneur d'ordre de mon Gouvernement de proposer à votre Excellence un arrangement en vertu duquel les successions de mâtelots appartenants à la

* Act of Parliament 28 & 29 Vict. c. 111.

APPENDIX O.—(continued).

marine de guerre de Suède et de Norvège et qui viendraient à décéder dans les Etats de Sa Majesté Britannique seraient mises directement à la disposition du Représentant des Royaumes Unis en Angleterre et les successions de mâtelots appartenants à la marine marchande participeraient de ce traitement toutes les fois que la somme ne dépasserait pas 50 livres sterling.

La note que votre Excellence m'adressa en réponse le 20 Juillet exprimait l'adhésion du Gouvernement Britannique à l'arrangement proposé, sauf le cas d'un reliquat de solde laissé par un mâtelot Suédois ou Norvégien qui aurait servi dans la marine de guerre de Sa Majesté Britannique, cas spécialement prévu et réglé par un Acte de Parlement et se terminant par ces mots :

“ Le Soussigné en communiquant au Baron Hochschild les conditions de l'arrangement ainsi proposé n'a plus qu'à ajouter qu'il entrera en activité aussitôt que l'assentiment du Gouvernement de Suède et de Norvège aura été signifié au Gouvernement de Sa Majesté.”

Le Gouvernement du Roi à qui je me suis empressé de communiquer cette note m'a chargé par une dépêche de M. le Comte Wachtmeister en date du 3 du courant de déclarer au Gouvernement de Sa Majesté Britannique que rien ne s'oppose de la part des Royaumes Unis de Suède et de Norvège à la conclusion d'un arrangement conforme à la proposition de votre Excellence et basé sur la reciprocité.

M'autorisant de la déclaration susdite de votre Excellence, je fais part dès aujourd'hui au Consul Général des Royaumes Unis à Londres de l'heureuse issue de cette négociation afin qu'il se mette sans retard en rapports avec le Board of Trade sur la base du nouvel arrangement.

C'est avec empressement que je profite de cette occasion pour vous renouveler, My Lord, les assurances de ma plus haute considération.

Lord Stanley.

(Signé) HOCHSCHILD.

APPENDIX O.—(*continued*).

ARRANGEMENT between the BRITISH and NORTH GERMAN GOVERNMENTS relative to the DISPOSAL of PROPERTY under the value of 50*l.* of SEAMEN belonging to the ROYAL NAVY or MERCHANT SERVICE dying on board British or North German Vessels, or upon British or North German Territory.—October, November, 1869.

Foreign Office,

October 19th, 1869.

M. LE CHARGÉ D'AFFAIRES,

WITH reference to my note of the 16th ultimo, I have now the honour to inform you that the Lords, &c. of Trade have stated to me that it is in their power to deliver to the Consul-General in London of the North German Confederation, without the usual formalities, the money and effects of North German seamen under the value of 50*l.* received by their Lordships under the provisions of the Merchant Shipping Act (1854), and their Lordships are willing to agree to do so on the understanding that the North German Government will engage to deliver to the respective British Consuls property of British Seamen on board North German vessels, or on North German territory.

I beg to assure you that it will give Her Majesty's Government much pleasure to meet the wishes of your Government in this matter, and I request that you will be so good as to ascertain whether this arrangement will be agreeable to them.

I am, &c.

M. de Katte.

(Signed) CLARENDON.

(TRANSLATION.)

MY LORD,

Prussia House, November 1, 1869.

I HAVE had the honour of receiving your Excellency's courteous note of the 16th ultimo relating to the agreement to be come to between the Government of the North German Confederation and the Royal British Government respecting the delivery of the effects left by German sailors deceased in the British service, and British sailors deceased in the German service, and I have made the Chancellor of the Confederation acquainted therewith. Whereupon I am now authorised to declare the acceptance of the proposition made in that note by the Lords of Trade in regard to effects under the value of 50*l.*, with an assurance of reciprocity on the part of the North German Confederation. In making that declaration hereby on behalf of the Confederation, I beg

APPENDIX O.—(continued).

leave at the same time to state, with reference to the previous negotiations, that by the expression "the respective British Consuls," made use of in the note of the 19th October, the administration of the Confederation concludes that that British Consul is intended in whose district the crew of the German ship to which the deceased British seaman belonged is passed in examination. Should this acceptance not be in accordance with that of Her Britannic Majesty's Government, I beg that your Excellency will be so good as to give me further information on the subject.

I have, &c.

The Earl of Clarendon.

(Signed) KATTE.

Foreign Office, November 18, 1869.

M. LE CHARGE D'AFFAIRES,

I LOST no time in referring to the Lords of Trade the inquiry contained in your note of the 1st instant as to the signification of the words "the respective English Consuls," as used by that Board in reference to the proposed arrangements for the reciprocal delivery of the effects of British sailors deceased on board German vessels, or of German sailors on board British vessels, and I have now the honour to inform you that the Administration of the North German Confederation is correct in their conclusion as to the interpretation of the words in question.

I have, &c.

M. de Katte.

(Signed) CLARENDON.

DECLARATION between GREAT BRITAIN and DENMARK, relative to the DISPOSAL of the ESTATES of DECEASED SEAMEN of the two Nations.—Signed at London, April 11, 1877.

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of Denmark, being desirous to make arrangements as to the disposal of the estates of deceased seamen of the two nations in certain cases, the undersigned, duly authorised to that effect, have agreed as follows :—

ARTICLE I.

If any British seaman dies on board a Danish ship, or whilst serving on board a Danish ship within Danish territory; or if, on

APPENDIX O.—(continued).

the other hand, any Danish seaman dies on board a British vessel, or whilst serving on board a British vessel within British territory, the Governments of Denmark and of Great Britain respectively shall provide as far as possible for the protection, without loss or injury, of any estate belonging to such deceased seaman.

In the case of a British seaman dying as aforesaid, the Danish Government shall cause the estate, if not exceeding 50*l.* in value, to be delivered, as soon as possible after the decease, to the British Consul at the Danish port where the decease occurs ; or if the decease does not occur at a Danish port, but on Danish territory, to the British Consul nearest to the place where such decease occurs, or where the estate may be ; or if such decease occurs at sea on board a Danish vessel, to the British Consul at the first Danish port at which the vessel arrives after such decease.

In the case of a Danish seaman dying, as aforesaid, his estate, if not exceeding 50*l.* in value, shall, subject to the provision contained in Article II., be delivered by the British Government, as soon as possible, to the Danish Consul of the district to which the vessel may belong.

When the estate exceeds 50*l.* in value, in the event of there being no person at hand who, within the period of six months, proves to be rightfully entitled to administer to the estate of the deceased seaman, the Consuls-General or Consuls of either State in whose jurisdiction such decease shall take place, shall, subject to the provision contained in Article II., have the power to take possession of and administer to the estate of such deceased seaman.

If any British seaman, whilst serving on board a Danish ship, dies within British territory ; or if, on the other hand, any Danish seaman, whilst serving on board a British ship, dies within Danish territory,—then the estate (if any) belonging to such deceased seaman shall, after deducting the expenses incurred, be paid over to the nearest Consul of the nation to which the ship belongs, in order that he may cause it to be, under observation of the aforesaid regulations, delivered to the competent authority in the country of the deceased seaman.

In the event of a seaman of one nation serving on board a ship of the other nation, and dying in the territory of a third nation, any estate of such deceased seaman (which may have been received by the Consul at the port where such death may have taken place of the nation to which the ship belongs) shall, after

APPENDIX Q.—(*continued*).

deducting the expenses incurred, be paid over to the Consul of the other nation at the same port.

In cases where a deceased seaman has signed articles either as a Danish or as a British subject, as the case may be, but the Government into whose possession his estate comes is not satisfied of his nationality, that Government shall equally protect his estate and shall send an account of it, and its value, and of all information in the possession of that Government relating to the deceased, to the other Government as soon as possible, and shall deliver the estate to the other Government immediately on receiving its assurance that there is no doubt that the deceased was a subject of it.

ARTICLE II.

If the deceased shall have served in the Royal Navy of Great Britain, any assets which may be payable by the British Admiralty shall be dealt with according to the law of Great Britain.

ARTICLE III.

The term "seaman" in this Declaration includes every person (except masters and pilots) employed or engaged in any capacity on board any merchant ship, or who has been so employed or engaged within six months before his death, and every person (not being a commissioned, warrant, or subordinate officer, or assistant engineer) borne on the books of, or forming part of the complement of any public ship of war.

The term "estate" includes all "property, wages due, money, and other effects" left by a deceased seaman on board a ship.

The term "Consul" includes Consul-General, Consul, and Vice-Consul, and every person for the time being discharging the duties of Consul-General, Consul, or Vice-Consul.

In witness whereof the undersigned have signed the present Declaration, which shall come immediately into operation, and have affixed thereto the seal of their arms.

Done at London, this eleventh day of April 1877.

(L.S.) DERBY.
(L.S.) J. V. BÜLOW.

APPENDIX O.—(*continued*).

DECLARATION between GREAT BRITAIN and ITALY relative to the DISPOSAL of the ESTATES of DECEASED SEAMEN of the two Nations.—Signed at London, April 17, 1877.

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of Italy, being desirous to make arrangements as to the disposal of the property of deceased seamen of the two nations in certain cases, the undersigned, duly authorised to that effect, have agreed as follows :—

ARTICLE I.

If any British seaman dies on board an Italian ship, or whilst serving on board an Italian ship within Italian territory ; or if, on the other hand, any Italian seaman dies on board a British vessel, or whilst serving on board a British vessel within British territory, the Governments of Italy and of Great Britain respectively shall provide as far as possible for the protection, without loss or injury, of any money or effects belonging to such deceased seaman.

In the case of a British seaman dying as aforesaid, the Italian Government shall cause the property, if not exceeding 50*l.* in value, to be delivered, as soon as possible after the decease, to the British Consul at the Italian port where the decease occurs ; or if the decease does not occur at an Italian port, but on Italian territory, to the British Consul nearest to the place where such decease occurs, or where the property may be ; or if such decease occurs at sea on board an Italian vessel, to the British Consul at the first Italian port at which the vessel arrives after such decease.

In the case of an Italian seaman dying as aforesaid, his property, if not exceeding 50*l.* in value, shall, subject to the provision contained in Article II., be delivered, as soon as possible after the decease, to the Italian Consul at the British port where the decease occurs ; or if the decease does not occur at a British port but on British territory, to the Italian Consul nearest to the place where such decease occurs, or where the property may be ; or if such decease occurs at sea on board a British vessel, to the Italian Consul at the first British port at which the vessel arrives after such decease.

When the property exceeds 50*l.* in value it shall, subject to the provision contained in Article II., be paid to the legal represen-

APPENDIX O.—(continued).

tative of the deceased according to the law of the nation of the ship or territory where the property is at the time of the decease.

In cases where a deceased seaman has signed articles either as an Italian or as a British subject, as the case may be, but the Government into whose possession his effects come is not satisfied of his nationality, that Government shall equally protect his property, and shall send an account of it, and its value, and of all information in the possession of that Government relating to the deceased, to the other Government as soon as possible, and shall deliver the property to the other Government immediately on receiving its assurance that there is no doubt that the deceased was a subject of it.

ARTICLE II.

If the deceased shall have served in the Royal Navy of Great Britain, any assets which may be payable by the British Admiralty shall be dealt with according to the law of Great Britain.

ARTICLE III.

The term "seaman" in this Declaration includes every person (except masters and pilots) employed or engaged in any capacity on board any merchant-ship, or who has been so employed or engaged within six months before his death, and every person (not being a commissioned, warrant, or subordinate officer, or assistant engineer) borne on the books of, or forming part of the complement of any public ship of war.

The term "Consul" includes Consul-General, Consul, Vice-Consul, and Consular Agent, and every person for the time being discharging the duties of Consul-General, Consul, Vice-Consul, or Consular Agent.

In witness whereof the undersigned have signed the present Declaration, which shall come immediately into operation, and have affixed thereto the seal of their arms.

Done at London, the seventeenth day of April 1877.

(L.S.) DERBY.

(L.S.) R. DE MARTINO.

APPENDIX O.—(continued).

DECLARATION between GREAT BRITAIN and RUSSIA relative to the
DISPOSAL of the ESTATES of DECEASED SEAMEN of the Two
NATIONS.

Signed at London, August 9, 1880.

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the Emperor of all the Russias, having judged it expedient to make arrangements for the disposal of the estates of seamen, being subjects of the one State, who shall die on board a ship or on the territory of the other State, have agreed as follows :—

ARTICLE I.

The estate of any Russian or Finnish seaman who shall die, either on board a British ship or at any place within British territory, shall, if not exceeding fifty pounds sterling (50*l.*) in value, be delivered to the Russian Consul-General in London without being subject to any of the formalities usually required by English law on succession to property.

On the other hand, the estate of any British seaman who shall die, either on board a Russian or Finnish ship, or within Russian territory, if not exceeding three hundred and fifty silver roubles (350 roubles) shall be delivered to the nearest British Consul without undergoing any of the forms usually required by Russian or Finnish law on succession to property.

ARTICLE II.

If the deceased, a Russian subject, shall have served in the Royal Navy of Great Britain, any assets which may be payable by the British Admiralty shall be dealt with according to the law of Great Britain.

On the other hand, if the deceased, a British subject, shall have served in the Imperial navy of Russia, any assets which may be payable by the Russian authorities shall be dealt with according to Russian law.

ARTICLE III.

The term "seaman" in this Declaration includes every person (except masters and pilots) employed or engaged in any capacity on board any merchant ship, or who has been so employed or

APPENDIX O.—(continued).

engaged within six months before his death, and every person, not being a commissioned, warrant, or subordinate officer, or assistant engineer, borne on the books of, or forming part of the complement of, any public ship of war.

The term "estate" includes all "property, wages due, money, and other effects" left by a deceased seaman on board a ship.

The term "Consul" includes Consul-General, Consul, Vice-Consul, and every person for the time being discharging the duties of Consul-General, Consul, or Vice-Consul.

ARTICLE IV.

The present Declaration shall be concluded for a term of three years, to date from the day of its signature. At the expiration of this term and of each successive term of three years it shall be continued for a further term of three years, unless one of the High Contracting Parties shall give notice for its termination one year before the expiration of any such term of three years.

In witness whereof the undersigned, duly authorised to that effect, have signed the present Declaration, and have affixed thereto the seal of their arms.

Done in duplicate at London, the ninth day of August, 1880.

(L.S.) GRANVILLE.

(L.S.) LOBANOFF.

APPENDIX P.

See paragraph 174.

TREATIES, &c. between GREAT BRITAIN and FOREIGN POWERS for the MUTUAL SURRENDER of SEAMEN, not being SLAVES, who desert from MERCHANT SHIPS.

AUSTRIA.

Treaty of Navigation between Great Britain and Austria, signed at Vienna, 30th April 1868.

Article IV. The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of each of the Contracting Parties residing in the dominions and possessions of the other, shall receive from the

APPENDIX P.—(continued).

Local Authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

BELGIUM.

Treaty of Commerce and Navigation between Great Britain and Belgium, signed at London, 28rd July 1862.

Protocol of Conference, London, 23rd July 1862.

The Plenipotentiaries of Her Britannic Majesty, and of His Majesty the King of the Belgians, in proceeding to the signature of the Treaty of Commerce and Navigation between their august Sovereigns, place upon record that they have agreed upon the following points :—

Article I. That the Declarations relative to the arrest of Seamen Deserters, dated the 4th (24th) of January 1855 (*see below*), and the Order in Council, bearing date the 8th day of February 1855, and published in the London Gazette of the 13th February, shall continue in force and validity as if they had been inserted in the said Treaty.

(Declaration referred to.)

Déclaration Belge, relative à l'Arrestation de Marins, Déserteurs des Bâtiments Britanniques dans un des Ports de la Belgique.
Londres, le 24 Janvier 1855.

Le Soussigné, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté le Roi des Belges près Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, &c., &c., en vertu des ordres de son Gouvernement, est autorisé à faire la Déclaration dont la teneur suit :

Les Consuls de Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande pourront faire arrêter et renvoyer soit à bord, soit dans leur pays, les Marins qui auraient déserté des bâtiments de leur nation dans un des ports de la Belgique.

A cet effet, ils s'adresseront, par écrit, aux autorités locales compétentes et justifieront par l'exhibition en original ou en copie dûment certifiée, des registres du bâtiment ou du rôle d'équipage ou par d'autres documents officiels, que les individus qu'ils réclament, faisaient partie du dit équipage. Sur cette demande, ainsi justifiée, la remise leur sera accordée.

APPENDIX P.—(continued).

Il leur sera donné toute aide pour l'arrestation desdits déserteurs, qui seront même détenus et gardés dans les maisons d'arrêt du pays, à la réquisition et aux frais des Consuls, jusque à ce que ces Agents aient trouvé une occasion de les faire partir. Si pourtant cette occasion ne se présentait pas dans un délai de 2 mois, à compter du jour de l'arrestation, les déserteurs seraient mis en liberté et ne pourraient plus être arrêtés pour la même cause.

Il est entendu que les Marins, sujets de la Belgique, seront exceptés de la présente disposition, à moins qu'ils ne soient naturalisés citoyens d'un autre pays.

Si le déserteur avait commis quelque délit en Belgique, son renvoi serait différé jusqu'à ce que le tribunal compétent eut rendu son jugement et que ce jugement eut reçu son exécution.

La présente Déclaration, a charge de reciprocité de la part du Gouvernement de Sa Majesté Britannique, portera ses effets le dixième jour à partir de son insertion au Moniteur Belge, et jusqu'à notification contraire.

Fait à Londres le 24 Janvier 1855.

S. VAN DE WEYER.

CHILE.

Treaty of Friendship, Commerce, and Navigation, between Great Britain and Chile, signed at Santiago, 4th October 1854.

Article XIII. It is agreed and covenanted between the High Contracting Parties, that they will afford every aid consistent with the laws of their respective countries for the apprehension and surrender of deserters from the naval and military, or from the merchant service of either country, on application being made to that effect by the Consul of the party concerned, and on it being proved by the register of the vessel, the list of the crew, or other similar documents that the said deserters formed part of the crew of the said vessel, and that they had deserted from vessels in the ports, coasts, or waters of the country before whose authorities they are claimed.

With respect to the detention of deserters in the public prisons and the time they ought to remain under the control of the Local Authorities, when apprehended, in order that they may be placed at the disposal of the Consul who claims them, and be sent on board vessels of their nation, the rules established by the laws of each country respectively shall be observed ; and during such

APPENDIX P.—(*continued*).

time as there shall be no special laws enacted on the subject in the Republic of Chile, the Local Authorities shall grant in this respect the same co-operation which in like cases is afforded by the British Authorities according to the laws of Great Britain.

And it is further agreed, that any other favour or facility with respect to the recovery of deserters which either of the Contracting Parties has granted, or may hereafter grant, to any other State shall also be granted to the other Contracting Party, in the same manner as if such favour or facility had been expressly stipulated by the present Treaty.

COLOMBIA.

Treaty of Friendship, Commerce, and Navigation, between Great Britain and the United States of Colombia, signed at London, 16th February 1866.

Article XXI. is similar to Article IV. of Treaty with Austria (*see Austria*).

DENMARK.

The Agreement between the Governments of Great Britain and Denmark, relative to Merchant Seaman Deserters, signed at London, 21st June 1881, is similar to that between Great Britain and France (*see below*).

EQUATOR.

Treaty of Friendship, Commerce, and Navigation, between Her Majesty and the Republic of the Equator, signed at Quito, 18th October 1880.

Article XXI. is similar to Article IV. of Treaty with Austria (*see Austria*), except for "Contracting Parties" read "High Contracting Parties," and for "vessels" read "merchant vessels."

FRANCE.

Agreement between the Governments of Great Britain and France, relative to Merchant Seamen Deserters, signed at London, 23rd June 1854.

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Government of

APPENDIX P.—(continued).

His Majesty the Emperor of the French, being desirous, for the benefit of British and French commerce, to facilitate the discovery, apprehension, and surrender of seamen who may desert from merchant vessels of the two Countries, on the basis of a full and entire reciprocity, have agreed as follows :—

It is mutually agreed that if any seamen or apprentices, not being slaves, should desert from any ship belonging to a subject of either of the Contracting Parties, within any port in the territories, or in the Possessions or Colonies of the other Contracting Party, the authorities of such port and territory, Possession, or Colony, shall be bound to give every assistance in their power for the apprehension and sending on board of such deserters, on application to that effect being made to them by the Consul of the Country to which the ship of the deserter may belong, or by the deputy or representative of the Consul.

It is understood that the preceding stipulations shall not apply to subjects of the country where the desertion shall take place.

Each party reserves to itself the right of terminating this agreement at any time, on giving to the other a year's notice of its wish to that effect.

GERMANY.

The Agreement between the Governments of Great Britain and Germany, relative to Merchant Seamen Deserters, dated London, 5th November 1879, is similar to that concluded between Great Britain and France.

GREECE.

Treaty of Commerce and Navigation between Great Britain and Greece, signed at Athens, 10th November 1886.

Article XVI. is similar to Article IV. of Treaty with Austria (*see Austria*).

ITALY.

Treaty of Commerce and Navigation between Great Britain and Italy, signed at Turin, 6th August 1863.

Article XIX. is similar to Article IV. of Treaty with Austria (*see Austria*), with the following exception, viz., for “dominions and possessions” read “dominions or possessions.”

APPENDIX P.—(continued).

MADAGASCAR.

Treaty of Peace, Friendship, Commerce, and Slave Trade,
between Great Britain and Madagascar, signed at Antananarivo, 27th June 1865.

Article XIII.

* * * * *

If any British Seamen should desert from their ships, the Local Authorities shall use every effort to apprehend them, and shall deliver them up to the British Consul, or to the Captain of their Ship.

MOROCCO.

General Treaty between Great Britain and Morocco, signed at Tangier, 9th December 1856.

Article XV. It is agreed and covenanted that neither of the High Contracting Parties shall knowingly receive into or retain in its service any subjects of the other Party who have deserted from the naval or military service of that other Party; but that, on the contrary, each of the Contracting Parties shall respectively discharge from its service any such deserters, upon being required by the other Party so to do.

And it is further agreed, that if any of the crew of any Merchant Vessel of either Contracting Party, not being slaves, nor being subjects of the party upon whom the demand is made, shall desert from such vessel within any port in the territory of the other Party, the authorities of such port and territory shall be bound to give every assistance in their power for apprehension of such deserters, on application being made by the Consul-General, or Consul, of the Party concerned, or by the deputy or representative of the Consul-General, or Consul, and no person whatever shall protect or harbour such deserters.

NETHERLANDS.

Netherland Note respecting the Surrender of Seamen Deserters from British Vessels in Netherland Ports, and demanding reciprocity, London, February 14, 1854.

Monsieur le Comte,

J' ai cru de mon devoir de fixer dans le temps l'attention de mon Gouvernement sur la mesure, que le Cabinet Britannique a bien voulu prendre dans l'intérêt de la navigation en proposant

APPENDIX P.—(continued).

la loi connue sous le nom de "Foreign Deserters Act," du 17 Juin 1852. Le commerce Néerlandais se plaignant amèrement de ce que les équipages des vaisseaux Hollandais qui touchent des ports Anglais se rendent de plus en plus coupables du délit de désertion, je viens d'être chargé de prier Votre Excellence, comme j'ai l'honneur de le faire par les présentes, de vouloir bien provoquer les mesures nécessaires pour que les facilités concédées par la loi du 17 Juin 1852, aux capitaines de la marine marchande de plusieurs nations pour ressaisir leurs déserteurs dans les possessions de Sa Majesté Britannique soient aussi accordées au pavillon Néerlandais.

Pour remplir la stipulation de réciprocité mentionnée dans l'Article I. de la loi en question je suis autorisé à déclarer officiellement à Votre Excellence, au nom de mon Gouvernement, que d'après les lois en vigueur les capitaines des vaisseaux marchands Britanniques ont, dans les ports des Pays-Bas et dans ceux des Colonies Néerlandaises le droit d'invoquer l'assistance des autorités du pays pour forcer tout homme de leur équipage qui aurait déserté à revenir à bord du navire ; ce droit est clairement établi par l'Article CCCCII. du Code de Commerce et l'Article IX. des dispositions générales des Codes Néerlandais ; et je suis en même temps chargé d'ajouter que mon Gouvernement aura soin de prendre les mesures nécessaires pour que l'assistance de la force armée soit efficacement accordée aux capitaines des navires Anglais, quand ils se trouveront dans le cas de devoir recourir aux autorités locales pour forcer les matelots de retourner à bord des vaisseaux, d'où ils se sont enfuis. Le Gouvernement des Pays-Bas se flatte en conséquence que rien ne s'opposera à l'arrangement de cette affaire et je vous serais très obligé, Monsieur le Comte, si Votre Excellence voulut bien avoir la bonté d'en activer autant que possible la solution.

J'ai l'honneur, &c.

Le Comte de Clarendon.

BENTINCK.

Convention between Great Britain and the Netherlands, for the reciprocal Admission of Consuls of the one Party to the Colonies and Foreign Possessions of the other, signed at the Hague, 6th March 1856.

Article X. Arrangements having already been made between the Governments of Great Britain and of the Netherlands for the mutual arrest and surrender of Seamen who may desert from

APPENDIX P.—(continued).

Merchant Vessels of the one country in the ports of the other, it is agreed that the Local Authorities in the Colonies and Foreign Possessions of either of the two Contracting Parties shall afford to the Consuls-General, Consuls, and Vice-Consuls of the other all such assistance as they may be enabled by law to give for the arrest and surrender of Seamen who may desert from the Merchant Vessels of either nation while in the ports of those Possessions or Colonies.

If the Deserter shall have committed any crime or offence against the laws of the Colony or Possession, his surrender may be deferred until the Court, which has cognizance thereof, shall have given its sentence, and the sentence have been carried into effect.

NICARAGUA.

Treaty of Friendship, Commerce, and Navigation, between Great Britain and Nicaragua, signed at Nicaragua, 11th February 1860. Article XVI.

* * * * *

And it is further agreed, that if any of the crew of any merchant vessel of either Contracting Party shall desert from such vessel within any port in the territory of the other Party, the authorities of such port and territory shall be bound to give every assistance in their power for the apprehension of such deserters, on application to that effect being made by the Consul of the Party concerned, or by the deputy or representative of the Consul; and any persons knowingly protecting or harbouring such deserters shall be liable to punishment.

PARAGUAY.

Treaty of Friendship, Commerce, and Navigation between Great Britain and Paraguay, signed at Assumption, 16th October 1884.

Article XII. is similar to Article IV. of Treaty with Austria (*see Austria*).

PERU.

Treaty of Friendship, Commerce, and Navigation, between Great Britain and Peru, signed at London, 10th April 1850.

Article X. Each of the two Contracting Parties agrees that it will not knowingly receive into or retain in its service any

APPENDIX P.—(*continued*).

In like manner, any British offenders resident or trading in Siam, who may desert, or escape to, hide themselves in Siamese territory, shall be apprehended and delivered over to the British Consul, on his requisition. Chinese, not able to prove themselves to be British subjects, shall not be considered as such by the British Consul, nor be entitled to his protection.

SPAIN.

Decree of the Queen of Spain, relative to the reciprocal Arrest and Delivery of Seamen Deserters from British and Spanish Merchant Vessels, Madrid, 19th April 1860, in which was enclosed the following Declaration :

Declaration.

The undersigned Minister Plenipotentiary of Her Catholic Majesty has been instructed to make the following Declaration :

“ The Consuls-Generals, Consuls, and Vice-Consuls of the United Kingdom of Great Britain and Ireland, residing in Spain and her Possessions, have the power to arrest and send, either on board their ships, or to their respective countries, the individuals of the crew of British Merchant Vessels who shall have deserted from such vessels; assistance is, therefore, to be rendered to that effect by all competent Local Authorities, after it has been proved by the rolls of registration, or any other authentic document, that the individuals thus reclaimed form a part of such a crew.”

After the production of such evidence, the surrender can no longer be denied, and all possible aid and power is, therefore, to be rendered to the British Consuls and Vice-Consuls for the discovery of such deserters.

Should any such deserters have besides committed some crime on land, his delivery may then be deferred by the Local Authorities until he has stood his trial before the competent tribunal, and undergone the sentence pronounced against him. But this declaration does not apply to such seamen as are Spanish subjects, and have not been naturalised abroad.

The Spanish Government promises to give to this declaration the force of an international law.

London, December 27, 1859. (Signed) ZAVIER ISTURIZ.

APPENDIX P.—(continued).

SWEDEN AND NORWAY.

Swedish Note, respecting the Surrender of Seamen Deserters from British Vessels in Swedish Ports, on condition of reciprocity, London, 4th August 1852.

The undersigned, Envoy Extraordinary and Minister Plenipotentiary from His Majesty the King of Sweden and Norway, in reply to the note addressed to him of the 30th July last by the Earl of Malmesbury, Her Majesty's Principal Secretary of State for Foreign Affairs, has the honour to inform his Lordship that he is authorised to give an official assurance to Her Britannic Majesty's Government, that according to the condition required by Act 15 Vict. c. 26, enabling Her Majesty, by Order in Council, to declare that deserters from foreign ships may be apprehended and given up, due facilities, on the basis of reciprocity, will be afforded by His Swedish and Norwegian Majesty's Government for recovering and apprehending seamen deserting from British Merchant Ships in the territories of Sweden and Norway.

(Signed) REHAUSEN.

To the Earl of Malmesbury.

TUNIS.

General Convention between Great Britain and Tunis, 19th July 1875.

Article XXXII. It is agreed and covenanted that if any of the crew of Her Majesty's Ships of War or British Merchant Vessels of whatever nationality they may be, borne on the papers of said ships shall desert within any port in the Regency of Tunis the authorities of such port or territory shall be bound to give every assistance in their power for the apprehension of such deserters, on the application of the British authority.

* * * * *

TURKEY.

Turkish Note respecting the Surrender of Seamen Deserters from British Vessels in Turkish Ports, and demanding reciprocity, 19th April 1865.

En vertu du "Foreign Deserters' Act," passé en l'année 1852 (15 Vict. c. 26.), toutes les fois qu'il est constaté que

U 50031.

L

APPENDIX P.—(continued).

des facilités sont accordées ou promises pour la capture et la remise des matelots qui déserteraient de navires marchands Anglais dans le territoire d'une Puissance Etrangère, la Couronne Britannique est à même de pouvoir, moyennant un Ordre en Conseil, accorder à titre de réciprocité, sans ou avec conditions, les mêmes facilités à cette Puissance Etrangère dans des cas de désertion des matelots de celles-ci qui auraient lieu dans les domaines Britanniques.

A la suite de cet Acte plusieurs Ordres en Conseil ont émané de Sa Majesté Britannique en faveur de différentes Puissances Etrangères.

(Here follow the Orders.)

Comme la Sublime Porte a toujours accordé à l'Angleterre toutes les facilités pour la capture et la remise des matelots qui, désertant des navires marchands Anglais, se réfugient sur le territoire Ottoman, et qu'elle est disposée à lui accorder aussi par la suite les mêmes facilités, et à prendre, s'il le faut, envers le Gouvernement Britannique, à titre de réciprocité, un engagement formel à cet égard, je viens, par suite d'instructions de mon Gouvernement, prier Votre Excellence de vouloir bien obtenir que Sa Majesté la Reine donne un Ordre en Conseil pour la capture et la remise des Marins qui déserteraient de navires marchands Ottomans dans les Etats et Possessions Britanniques.

(Signé) C. MUSURUS.

A M. le Comte Russell, K.G.

URUGUAY.

Treaty of Friendship, Commerce, and Navigation between Her Majesty and the Oriental Republic of the Uruguay, signed at Monte Video, 13th November 1885.

Article XI. is similar to Article IV. of Treaty with Austria (see Austria).

ZANZIBAR.

Treaty of Friendship and Commerce between Great Britain and Zanzibar, signed at Zanzibar, 30th April 1886.

Article XIV. Should sailors or others belonging to a British ship of war or merchant vessel desert and take refuge on shore or on board of any of His Highness' ships, the authorities of His

APPENDIX P.—(continued).

Highness the Sultan of Zanzibar shall, upon request of a Consular Official or in his absence of the captain of the ship, take the necessary steps in order to have them arrested and delivered over to the Consular Official or to the captain.

In this, however, the Consular Officer and captain shall render every assistance.

So also the authorities of His Highness the Sultan, in case of men deserting from ships of His Highness the Sultan, or of his subjects, and who have taken refuge on board of a British vessel in harbour or in the house of a British subject on shore in Zanzibar, may apply to a British Consular Official or, in his absence, to the captain or house occupant, who, unless there is reason to the contrary, shall take the necessary steps to cause them to quit the vessel or premises for the purpose of being returned to the captain or the Sultan's authorities.

APPENDIX Q.

See paragraph 175.

CERTIFICATE to be indorsed on AGREEMENT in CASES of
DESERTION.

"I hereby certify that the within-named *A.B., C.D., &c.* have
" been left behind at this port on the alleged ground of their
" having deserted, and that I have inquired into the matter, and
" find that [*here state, as the case may be, either that the allega-*
" *tion is true or not*], and that a proper entry of such desertion
" in the official log book has been produced to me.

" (Signed) _____ *H.B.M. Consul.*

" Dated at _____ this _____ day of _____ 18 .

APPENDIX R.

See paragraphs 215, 254.

TABLES OF CONSULAR FEES

To be taken in all Foreign Countries other than China, Japan, and Corea, in pursuance of the Acts 6 George IV., cap. 87, and 12 and 13 Vict., cap. 68, and of the Consular Fees Order in Council, 1887.

PART I.

Fees to be taken in respect of Matters in which the Consul's Interposition is required by Law.

MATTER IN RESPECT OF WHICH THE FEE IS TO BE TAKEN.

	£	s.	d.
1. For every declaration taken or recorded under the Merchant Shipping Acts, with a view to the registry, transfer, and transmission of ships, interests in ships, or mortgages on ships	-	0	5 0
2. For endorsing a memorandum of change of master upon the certificate of registry, and initialling his signature on agreement with crew, if required	-	0	4 0
3. For granting a provisional certificate of registry (this fee to be exclusive of fees on declarations)	1	0	0
4. For recording a mortgage of a ship, or shares in a ship, made under a certificate of mortgage	-	1	0 0
5. For recording the transfer of a mortgage of a ship, or shares in a ship, made under a certificate of mortgage	-	1	0 0
6. For recording the discharge of a mortgage of a ship, or shares in a ship, made under a certificate of mortgage	-	1	0 0
7. For every sale of a ship, or shares in a ship, made before the Consul under a certificate of sale	-	1	0 0

£ s. d.

8. For inspection of the register book of transactions in ships, kept in pursuance of Merchant Shipping Acts*	-	-	-	-	-	0	1	0
9. For certified copy of extract from register book of transactions in ships	-	-	-	-	-	0	2	6
10. For every seaman engaged before the Consul†	-	0	2	0				
11. For every alteration in agreements with seamen made before the Consul†	-	-	-	-	-	0	2	0
12. For every seaman discharged or left behind with the Consul's sanction†	-	-	-	-	-	0	2	0
13. For every desertion certified by the Consul†	-	0	2	0				
14. For attesting a seaman's will (<i>see</i> No. 99)	-	0	2	0				
15. For examination of provisions or water, to be paid by the party who proves to be in default, in addition to costs of survey‡	-	-	-	-	-	0	10	0
16. For every salvage bond made in pursuance of 17 and 18 Vict., cap. 104, sec. 488, to be paid by the master or owner of the property salvaged	-	2	0	0				
17. For making endorsement on ship's papers as required by section 279 of "The Merchant Shipping Act, 1854"§	-	-	-	-	-	0	2	6

(To include the fee for inspection of ship's papers. *See* No. 43.)

* The fee stamp is to be affixed to a receipt to be given to the applicant.

† The fee stamps are to be affixed to the endorsements on the ship's agreement.

‡ The fee stamp is to be affixed to the entry made in the official log-book of the result of the examination.

§ The charge includes the custody of ship's papers which is required by section 279 of "The Merchant Shipping Act, 1854," which runs as follows:—

"(1.) Whenever any ship, in whatever part of Her Majesty's dominions the same is registered (except ships whose business for the time being is to carry passengers), arrives at any foreign port where there is a British Consular Officer, and remains thereat for forty-eight hours, the master shall, within forty-eight hours of the ship's arrival, deliver to such Consular Officer . . . the agreement with the crew, and also," &c.

"(2.) Such officer shall keep such documents during the ship's stay in such port, and in cases where any endorsements upon the agreement are hereby required, shall duly make the same, and shall return the said documents to the master a reasonable time before his departure, with a certificate endorsed on the agreement, stating when the same were respectively delivered and returned."

The fee stamp is to be affixed to the agreement close to the Consul's signature.

Marriage Fees, as fixed by Act 12 and 13 Vict., cap. 68, to be Levied by Consular Officers duly authorised to solemnize Marriages.

	£	s.	d.
18. For receiving notice of an intended marriage	-	0	10 0
19. For granting a licence for a marriage	-	1	0 0
20. For receiving a caveat	-	1	0 0
21. For every marriage solemnized by the Consul, or in his presence, if by licence	-	1	0 0
22. Ditto, if without licence	-	0	10 0

PART II.

Fees to be taken in respect of Matters in which the Consul's Interposition is to be given when required by Parties interested.

MATTER IN RESPECT OF WHICH THE FEE IS TO BE TAKEN.

	£	s.	d.
23. For noting a marine protest and furnishing one certified copy if required *	-	0	7 6

* The forms for noting marine protests are supplied in books as well as in loose sheets for certified copies. The fee stamp is to be affixed to the original note of protest in the book, and the master who notes is entitled to one copy without extra charge; on this copy the Consul must write the words, "First copy gratis," near his attesting signature. A charge is to be made for all subsequent copies. (See Fees 70 and 96.)

	£	s.	d.
24. For filing a request for survey and issuing order of survey* - - - - -	0	10	0
25. For receiving report of survey, filing original in archives (if not exceeding 200 words), and furnishing, if required, one certified copy of request, order, and report of survey* - - -	1	0	0
26. For extending marine protest, if not exceeding 200 words, filing original and furnishing one certified copy if required. This to be exclusive of fee for oaths or declarations (<i>see</i> No. 48), or for drawing, if required, the body of the protest (<i>see</i> No. 93)* - - - - -	1	0	0
27. For any other protest, if not exceeding 200 words, filing original, and furnishing one certified copy if required. This to be exclusive of fee for drawing, if required, the body of the protest (<i>see</i> No. 93)* - - - - -	1	0	0
28. If the protest or report of survey exceed 200 words, for every additional 100 words or fraction thereof - - - - -	0	2	6

* In the case of the fees for surveys and extensions of marine protests (Fees 24 to 26), the fee stamps are to be affixed to the original documents, which must be deposited and carefully preserved in the Consulate; each should be numbered and recorded in the register or index of documents which should be kept in all Consulates, and no extra charge is to be made for thus recording them in the index.

The party requesting and paying for a survey, or the master of the vessel making the extended protest, as the case may be, is entitled to have one copy given to him free of charge; on this the Consul must write the words, "First copy gratis," near his attesting signature; all subsequent copies are to be charged for. (*See* Fees 70 and 96.) These remarks are equally applicable to other protests (Fee 27), except that no forms are supplied for any but marine protests.

In the case of the Report of the Surveyors (Fee 25), all words, written or printed, are to be counted and charged for, but not those in the Consular certificate of due signature.

In the case of extended marine protests (Fee 26), all words, written or printed, with the exception of those in the declaratory clause at the end, are to be counted and charged for. The words "oaths" or "declarations," mentioned in this fee, refer to the oaths or declarations of the parties declaring to the protest, which form the final declaratory clause at the end of the protest.

	£	s.	d.
29. For attesting average, bottomry or arbitration bond, each copy (<i>see</i> No. 92) - - -	0	5	0
30. For preparing a fresh agreement with the crew of a British vessel on new articles of agreement being opened at a foreign port, and for furnishing the copy which the Merchant Shipping Acts require should be made accessible to the crew* -	0	10	0
31. Bill of health - - - - -	0	10	0
32. Certifying to a foreign bill of health - - -	0	10	0
33. Certificate of origin of goods and filing copy -	0	10	0
34. Certificate of due landing of goods exported from a British port - - - - -	0	10	0
35. For application addressed to local authorities for arrest or imprisonment of a seaman, if granted pursuant to the request of the master† -	0	5	0
36. Ditto, for release of a seaman† - - -	0	5	0
37. For each certificate granted as to the number of the crew of a vessel or as to any other matter required by local authorities for the clearance inwards and outwards of a vessel (<i>see</i> No. 38) -	0	5	0
38. For drawing up, in form and language required by local authorities, a muster-roll, or detailed list, giving the names, &c. of each member of the crew of a vessel (to be charged in addition to No. 37)‡ - - - - -	0	2	6
39. For affixing Consular signature, and seal if required, to a ship's manifest - - - - -	0	10	0

* The fee stamps are to be affixed at the top left-hand corner of the front page of the copy of the agreement which is signed by the crew and delivered to the master.

† The fee stamps are not to be affixed to the order for arrest or release, but to a receipt which is to be handed to the master who applied for the order.

‡ This fee is not to be charged, in addition to Fee 37, for preparing an ordinary certificate for the clearance of a vessel. Should the Consul, however, be required to draw up such certificate in the form of a muster-roll of the crew, whether in English or in a foreign language, he will charge this fee, in addition to Fee 37.

	£	s.	d.
40. For affixing Consular seal or signature to any entry in the official log-book of a British vessel, if not required by the Merchant Shipping Acts -	0	5	0
41. For attesting the execution of a bill of sale of a ship, or shares in a ship -	0	5	0
42. For any document required from Consul by foreign authorities as a preliminary to the engagement of a British seaman in a foreign vessel, including official seal and signature -	0	1	0
43. For inspecting ship's papers when their production is required to enable a Consular officer to perform any specific service on the ship's behalf* -	0	2	6
N.B.—This fee not to be charged when Fee 17 is leviable.			
44. For granting any certificate not otherwise provided for if not exceeding 100 words -	0	5	0
45. If exceeding 100 words, for every additional 100 words or fraction thereof -	0	5	0
46. For noting a bill of exchange -	0	5	0
47. For protest of a bill of exchange and copy -	1	0	0
48. For administering an oath, or receiving a declaration or affirmation, without attestation of signature -	0	2	6
49. For administering an oath, or receiving a declaration or affirmation with attestation of signature -	0	5	0
50. For each Consular signature attached to an exhibit referred to in an affidavit or declaration -	0	2	6
51. For each alteration or interlineation initialed by the Consul in any document not prepared by him -	0	0	6
52. For each signature to a transfer of shares or stock attested by the Consul -	0	2	0

* This fee is to be charged whenever the master of a ship, not depositing papers under section 279 of "The Merchant Shipping Act, 1854," has recourse to a Consul for services or assistance, which should not be rendered without the production of the ship's papers. The fee stamp is to be affixed to the agreement with the crew in the part reserved for endorsements, where the Consul will write the place and date and sign his name.

	£	s.	d.
53. For each signature to a transfer of shares or stock attested by the Consul when executed in the presence of one or more witnesses besides Consul - - - - -	0	5	0
54. For each execution of a power of attorney attested by the Consul (<i>see</i> No. 101) - - - - -	0	5	0
N.B.—When more than four persons execute a power at the same time, a fee of 1 <i>l.</i> only is to be charged.			
55. For attesting the execution of a will of any person not being a British seaman (<i>see</i> No. 99) - - - - -	0	10	0
56. For each execution of a deed, bond, or conveyance under seal attested by the Consul - - - - -	0	7	6
N.B.—When more than four persons execute an instrument at the same time, a fee of 1 <i>l.</i> 10 <i>s.</i> only is to be charged.			
57. For each signature to an application for a patent attested by the Consul - - - - -	0	5	0
58. For attaching Consular signature, and seal if required, to quarterly or monthly declarations for Government pay, half-pay or pension* - - - - -	0	1	0
59. For attaching Consular signature to all other declarations of existence - - - - -	0	2	6
60. Ditto, if drawn up by Consul - - - - -	0	5	0
61. For certificate of a person's identity - - - - -	0	10	0
62. For attesting the signature of a foreign authority - - - - -	0	5	0
63. For each signature attested by the Consul in any document not otherwise provided for - - - - -	0	5	0
N.B.—No fee is to be charged for attesting a signature to any document required for the deposit or withdrawal of money in or from the Post Office Savings Bank.			
64. For receiving and giving a receipt for any document, packet, or article deposited in the Consulate under the conditions of Fee No. 107 - - - - -	0	5	0

* No fee is to be charged for signing pension papers for non-commissioned officers or men in the army and navy, or in the merchant service, or their widows or orphans, and the word "gratis" should be placed near the Consul's signature.

	£	s.	d.
65. For registration of a birth or death (except the death of a seaman) - - - -	0	2	6
66. For any registration not otherwise provided for -	0	2	6
N.B.—No fee is to be charged for the registration of a British subject at a Consular Office, where such registration is not compulsory under Order in Council.			
67. For issue of certificate of British registration, when such registration is not compulsory under Order in Council - - - -	0	2	6
68. For each search in the register books of births, marriages, or deaths kept at the Consulate -	0	1	0
69. For furnishing a certified copy of an entry in register books of births, marriages, or deaths (see No. 68) - - - -	0	2	6
70. For certifying to a copy of any document or part of a document, if not exceeding 100 words -	0	5	0
71. If exceeding 100 words, for every additional 100 words, or fraction thereof - - -	0	1	0
N.B.—An additional fee is to be charged when the copy is made by the Consul (see No. 96).			
72. Passport - - - - -	0	5	0
73. Visa of a passport - - - - -	0	2	0
74. For issue of certificate of nationality - - -	0	2	6
75. Consular request to local authorities for a passport, pass, or visa - - - - -	0	2	0
76. Opening the will of a British subject, not being a seaman, including Consular signature to minute of proceedings - - - - -	1	0	0
77. For the administration and distribution, or for either administration or distribution, of the property, situate in the country of the Consul's residence, of a British subject, not being a seaman, dying intestate, or if not intestate, when undertaken in the absence of legally competent representatives of the deceased - - -	2½ per cent. on gross value.		

	£	s.	d.
78. For uniting documents and attaching Consular seal to the fastening - - - - -	0	2	6
79. For directing search for, or obtaining, from Public Record Office, or elsewhere, extracts from local registers, or copies of wills, deeds, or other matters, in addition to expenses incurred and any fees for attestation - - - - -	0	5	0
80. For affixing Consular signature, and seal if required, to any document not otherwise provided for by this Table - - - - -	0	5	0
N.B.—No charge is to be made for an order or letter sending a seaman to hospital.			
81. For each Consular seal affixed to a document, packet, or article, when no signature is required:	0	2	6

PART III.

*Fees to be taken for certain Attendances in addition to any other Fee chargeable under the present Table, and to Travelling and other Expenses (see Notes 3 and 4).**

ATTENDANCE IN RESPECT OF WHICH THE FEE IS TO BE TAKEN.

	£	s.	d.
82. At a shipwreck, or for the purpose of assisting a ship in distress, per day - - - - -	2	0	0

* With regard to Part III. of the Table, the Consul must understand that, as a general rule, he is to attend out of office only on the application of the parties interested, or of the local authorities, and such attendance is to be at the discretion of the Consul, and provided his official duties admit of his absence; but, in the case of shipwreck, or for the purpose of assisting a ship in distress, it will, as a rule, be desirable that the Consul should attend without waiting for any special request, as his presence may conduce to every possible measure being taken for saving life; but his attendance should not be continued for any other purpose unless it is specially requested. In the event of two Consular Officers attending out of office, which should only occur in very special cases, or at the request of the parties, the fee for the attendance of the junior is to be half the amount fixed by the Table, as he is to be looked upon as accompanying his senior in the capacity of a clerk. A Pro-Consul attending alone to perform duties under the powers conferred on Pro-Consuls by section 1 of the Act 18 & 19 Vict., cap. 42, is a Consular Officer for the purposes of Fees 90 and 91.

	£	s.	d.
83. At a shipwreck, at request of parties interested, to assist or advise as to salvage, per day -	-	3	0 0
84. At request of parties interested, or of local authorities, at the affixing or removing of seals on property of deceased persons, if absent less than two hours -	-	1	0 0
85. Ditto, ditto, for each additional hour, or fraction thereof, 10s., with a maximum per day of -	4	0	0
86. At request of parties interested, or of local authorities, at a valuation, if absent less than two hours -	-	1	0 0
87. Ditto, ditto, for each additional hour, or fraction thereof, 10s., with a maximum per day of -	4	0	0
88. At request of parties interested, or of local authorities, at a sale, if absent less than two hours -	2	0	0
89. Ditto, ditto, for each additional hour, or fraction thereof, 10s., with a maximum per day of -	4	0	0
90. At request of parties interested, or of local authorities, for the transaction, elsewhere than at the Consular Office, of any of the duties for which a fee is provided in the Table of Consular Fees, for each hour or fraction thereof, 10s., with a maximum per day of -	4	0	0
91. At the request of parties interested, for the transaction of any of the duties for which a fee is provided in the Table of Consular Fees, whether at the Consular Office or at the Consul's residence, before or after the customary business hours of the place, for each half hour or fraction thereof -	-	0	5 0

PART IV.

Fees to be taken in respect of certain other Services which may be rendered by the Consul, at his discretion, at the request of Parties interested.

SERVICE IN RESPECT OF WHICH THE FEE MAY BE TAKEN.

	£	s.	d.
92. For preparing average, bottomry, or arbitration bond (<i>see</i> No. 29) - - - -	1	0	0
93. For drawing a declaration or other document, or the body of a protest, or for taking down in writing verbal declarations or depositions of persons made before the Consul, or for reducing into writing agreements made before him by contracting parties, exclusive of fees for attestation, &c. (<i>see</i> Part II.), if not exceeding 100 words* - - - -	0	5	0
94. If exceeding that number, for each subsequent 100 words, or fraction thereof* - - - -	0	2	6
95. For assisting in drawing up petitions, applications, or other documents not specified, each - - - -	0	5	0
96. For making a copy of a document, if not exceeding 100 words, exclusive of fee for certificate (<i>see</i> Part II., No. 70) - - - -	0	1	6
97. If exceeding that number, for every subsequent 100 words, or fraction thereof - - - -	0	1	0
N.B.—If the copy is in any foreign language double the above fees are to be charged.			

* Printed forms are generally used for marine protests; in such cases the expression "the body of a protest" applies to such portion only as is in manuscript. If the applicant hands the Consul a clear draft of what he desires to have filled in, the Consul is not to charge Fees 93 (and 94), but should the applicant be unwilling or unable to draw up his protest, and should he request the Consul to do so, the Consul will be entitled to charge these fees. This explanation applies equally to other protests.

£ s. d.

98. For making or verifying a translation of a document, for every 100 words or fraction thereof, exclusive of fee for certificate (*see* Part II, No. 44) - - - - 0 5 0
99. For drawing a will, if not exceeding 200 words (*see* Nos. 14 and 55) - - - - 1 0 0
100. If exceeding that number, for every subsequent 100 words, or fraction thereof - - - - 0 5 0
101. For drawing a power of attorney (*see* No. 54) - - - - 0 10 0
102. In cases where one or more attesting witnesses, besides the Consul, are required, for each witness supplied by him at the request of the parties interested - - - - 0 2 6

N.B.—AS TO THE FOLLOWING FEES (103 TO 109) THE DISCRETIONARY SERVICES FOR WHICH THEY ARE CHARGEABLE ARE NOT TO BE UNDERTAKEN EXCEPT AT THE SOLE RISK AND RESPONSIBILITY OF THE PARTIES REQUESTING THE SAME, AND (EXCEPT AS REGARDS FEES 103 AND 109) ON CONDITION OF SUCH PARTIES SIGNING THE PROPER DECLARATION IN THE FORM (A., B., OR C., AS THE CASE MAY BE) HERETO ANNEXED.

103. On sums advanced by a Consul at the request and on behalf of private persons, a commission of * 5 per cent.
104. Attendance elsewhere than at Consular Office, at the request and on behalf of private persons, for the transaction of business which a Consul is permitted, but is not bound, to undertake under the Consular Regulations, for each hour or fraction thereof, 10s., with a maximum per day of (*see* Notes 3 and 4 Form A.) - - - - 4 0 0

* It is not to be assumed that a Consul is under any obligation to advance money to private persons because he is authorised to charge a commission on advances. Unless he is acting under instructions from Her Majesty's Government, he makes such advances at his own risk, and Her Majesty's Government accept no liability for any loss he may sustain through so doing.

£ s. d.

105. On sums remitted, or paid, to a Consul by private persons to be expended, or handed over, in accordance with their instructions, a commission of (*see* Form B.) - - - 5 per cent.

N.B.—Fee No. 105 is not to be charged on sums received for charitable purposes or for the pecuniary relief or repatriation of British subjects in difficulty or distress.

106. On sums recovered by a Consul at the request, and on behalf, of private persons, a commission of (*see* Form B.) - - - 5 per cent.
107. On deposits of money or valuables a commission of 5 per cent.

N.B.—The deposit not to be accepted until the Consul holds an acknowledgment in the Form (C.) hereto annexed, duly signed by or on behalf of the depositor. The Consul shall give a deposit receipt therefor in the Form (D.) hereto annexed.

In the case of valuables the fee is to be calculated upon an estimate of their value, which must be given by the depositor when making the deposit.

108. For the administration and distribution of the property, situate in the country of the Consul's residence, of a deceased British subject, not being a seaman, when undertaken in cases of difficulty, and upon the written request of the legally competent representatives of such deceased person, who shall at the same time declare in writing (in the Form (B.) hereto annexed) that they are aware of the fee chargeable for such service, and agree to pay the same - - - 2½ per cent.
on gross value.
109. In the case of the Consul's acting as arbitrator, provided the parties interested declare in writing in the reference to arbitration that they are aware of the nature and rate of the fee charge-

£ s. d.

able for such service, and agree to pay the same,
 a commission on the value of the property or
 amount in dispute of $2\frac{1}{2}$ per cent., with a
 minimum of - - - - - 2 0 0

N.B.—The value of the property or amount
 in dispute must be ascertained and agreed
 by the parties to the arbitration, and
 stated in the reference to arbitration.”

NOTES.

1. If the Consul should be named Commissioner to examine witnesses under a commission issued by a British Court of Justice he is allowed to act as such, charging and retaining the customary fees for so doing.

2. No fee is to be charged for drafting or receiving depositions, &c., taken *ex officio* under the Merchant Shipping Acts, except in cases specially provided for.

3. In cases of attendances (Parts III. and IV.) the fee per day is to cover a period not exceeding twelve hours.

4. In cases of attendances (Parts III. and IV.), if the Consul finds it necessary to be accompanied by a clerk the fee will be increased by one-half, or if a clerk only is sent, half the fees are to be charged.

5. The above fees, if not paid in British gold, are to be paid in coins which are a legal tender or current in the locality where payment is made, and change cannot be demanded. The fees are to be calculated at a rate of exchange which will cover the cost of their remittance, except in countries for which a special table of the equivalents in foreign currency has been sanctioned by Her Majesty's Secretary of State for Foreign Affairs, with the concurrence of the Commissioners of Her Majesty's Treasury.

FORM (A).

This is to certify that in consideration of _____ having undertaken, at my request and on my behalf, to transact certain business which a Consul is permitted, but is not bound, to undertake under the Consular Regulations, I have agreed to pay him, on behalf of Her Majesty's Government, therefor the fee in such provided by "The Consular Fees Order in Council, 1887," section 104 of Table (viz., for each hour, or fraction thereof, of attendance, 10s., with a maximum per day of 4l.), in addition to any other fee properly chargeable under that Order in Council. and to travelling and other expenses.

Dated at _____, the _____ day of _____, 18__.

FORM (B).

In consideration of Her Majesty's Consul at _____ having consented to transact business on my account, for which Fee No. ____ is provided in Part IV. of "The Consular Fees Order in Council, 1887," I hereby undertake to pay the fee as therein specified, together with all reasonable expenses incurred by him, and I declare that no liability whatever shall attach to Her Majesty's Government for the acts of the said Consular Officer in respect of the said transaction.

Dated at _____, the _____ day of _____, 18__.

FORM (C).

I hereby request that [the sum of _____] [a packet (or packets, specifying number, &c.), purporting to contain _____ of the value of _____], may be accepted for deposit in the British [Vice] Consulate [General] at _____ for a period not exceeding _____; and I agree that this deposit shall not be delivered up, except on the production of the Consular Officer's receipt duly signed by _____, and that neither Her Majesty's Government nor the British Consular Officer or Officers give any guarantee for its safe custody, nor incur any liability in case of its loss, damage, or destruction by fire, theft, or otherwise.

Dated at _____, the _____ day of _____, 18__.

FORM (D).

This is to certify that _____ has this day delivered to me [the sum of _____] [a packet (or packets, specifying number, &c.), purporting to contain _____ valued at _____], to be deposited for a period not exceeding _____ in this Consulate, to be returned on the production of this receipt, and that he [or she] has paid me, on behalf of Her Majesty's Government, the sum of _____, being 5 per cent. on the value of such deposit; and has also, under section 64 of the Table annexed to the Consular Fees Order in Council, 1887, paid me the further sum of 5s. for this receipt, for which amounts fee stamps are hereto affixed.

The deposit is accepted on the distinct condition that neither Her Majesty's Government nor the British Consular Officer or Officers give any guarantee for its safe custody, nor incur any liability in case of its loss, damage, or destruction by fire, theft, or otherwise.

British [Vice] Consulate [General], _____ this _____ day of _____ 18__.

Consular Fee
Stamp,
cancelled by
Official Stamp.

Consul.

* APPENDIX S.

See paragraphs 215, 254.

TABLES OF CONSULAR FEES.

To be taken in China, Japan, and Corea, in pursuance of the Acts 6 Geo. IV, cap. 87, and 12 and 13 Vict., cap. 68, and of the China, Japan, and Corea (Consular Fees) Order in Council, 1887.

PART I.

Fees to be taken in respect of Matters in which the Consul's Interposition is required by Law.

MATTER IN RESPECT OF WHICH THE FEE IS TO BE TAKEN.

Dol. c.

1. For every declaration taken or recorded under the Merchant Shipping Acts, with a view to the registry, transfer, and transmission of ships, interests in ships, or mortgages on ships -	2 00
2. For endorsing a memorandum of change of master upon the certificate of registry, and initialling his signature on agreement with crew, if required	1 00
3. For granting a provisional certificate of registry (this fee to be exclusive of fees on declarations)	5 00
4. For recording a mortgage of a ship, or shares in a ship, made under a certificate of mortgage -	5 00
5. For recording the transfer of a mortgage of a ship, or shares in a ship, made under a certificate of mortgage - - - - -	5 00
6. For recording the discharge of a mortgage of a ship, or shares in a ship, made under a certificate of mortgage - - - - -	5 00

* The provisions of the foot notes in Appendix B. apply equally to the corresponding fees in Appendix S. See paragraph 254 of Instructions.

APPENDIX S.—(continued).

	Dol.	c.
7. For every sale of a ship, or shares in a ship made before the Consul under a certificate of sale -	5	00
8. For inspection of the register book of transactions in ships, kept in pursuance of Merchant Shipping Acts - - - - -	1	00
9. For certified copy of extract from register book of transactions in ships - - - - -	0	75
10. For every seaman engaged before the Consul -	0	50
11. For every alteration in agreements with seamen made before the Consul - - - - -	0	50
12. For every seaman discharged or left behind with the Consul's sanction - - - - -	0	50
13. For every desertion certified by the Consul -	0	50
14. For attesting a seaman's will (<i>see</i> No. 99) -	0	50
15. For examination of provisions or water, to be paid by the party who proves to be in default, in addition to costs of survey - - - - -	3	00
16. For every salvage bond made in pursuance of 17 and 18 Vict., cap. 104, sec. 488, to be paid by the master or owner of the property salvaged -	12	00
17. For making endorsement on ship's papers as required by section 279 of "The Merchant Shipping Act, 1854" - - - - -	0	75
(To include the fee for inspection of ship's papers. <i>See</i> No. 43.)		

Marriage Fees, as fixed by Act 12 and 13 Vict., cap. 68, to be levied by Consular Officers duly authorised to solemnize Marriages.

	£	s.	d.
18. For receiving notice of an intended marriage -	0	10	0
19. For granting a licence for a marriage - -	1	0	0
20. For receiving a caveat - - - - -	1	0	0
21. For every marriage solemnized by the Consul, or in his presence, if by licence - - - - -	1	0	0
22. Ditto, if without licence - - - - -	0	10	0

NOTE.

The above Fees, 18 to 22 inclusive, if not paid in English gold are to be calculated at the Government rate of exchange.

APPENDIX S.—(continued).

PART II.

Fees to be taken in respect of Matters in which the Consul's Interposition is to be given when required by the Parties interested.

MATTER IN RESPECT OF WHICH THE FEE IS TO BE TAKEN.

	Dol. c.
23. For noting a marine protest and furnishing one certified copy if required - - -	2 00
24. For filing a request for survey and issuing order of survey - - - - -	3 00
25. For receiving report of survey, filing original in archives, if not exceeding 200 words, and furnishing, if required, one certified copy of request, order, and report of survey - -	6 00
26. For extending marine protest, if not exceeding 200 words, filing original and furnishing one certified copy if required. This to be exclusive of fee for oaths or declarations (<i>see</i> No. 48), or for drawing, if required, the body of the protest (<i>see</i> No. 93) - - - - -	6 00
27. For any other protest, if not exceeding 200 words, filing original, and furnishing one certified copy if required. This to be exclusive of fee for drawing, if required, the body of the protest (<i>see</i> No. 93) - - - - -	6 00
28. If the protest or report of survey exceed 200 words, for every additional 100 words or fraction thereof - - - - -	0 75
29. For attesting average, bottomry or arbitration bond, each copy (<i>see</i> No. 92) - - -	1 50
30. For preparing a fresh agreement with the crew of a British vessel on new articles of agreement being opened at a foreign port, and for furnishing the copy which the Merchant Shipping Acts require should be made accessible to the crew -	3 00

APPENDIX S.—(continued).

	Dol. c.
31. Bill of health - - - - -	3 00
32. Certifying to a foreign bill of health - -	3 00
33. Certificate of origin of goods and filing copy -	3 00
34. Certificate of due landing of goods exported from a British port - - - - -	3 00
35. For application addressed to local authorities for arrest or imprisonment of a seaman, if granted pursuant to the request of the master - -	1 50
36. Ditto, for release of a seaman - - - -	1 50
37. For each certificate granted as to the number of the crew of a vessel or as to any other matter required by local authorities for the clearance inwards and outwards of a vessel (<i>see</i> No. 38) - -	1 50
38. For drawing up, in form and language required by local authorities, a muster-roll, or detailed list, giving the names, &c., of each member of the crew of a vessel (to be charged in addition to No. 37) - - - - -	0 75
39. For affixing Consular signature, and seal if required, to a ship's manifest - - - - -	3 00
40. For affixing Consular seal or signature to any entry in the official log book of a British vessel, if not required by the Merchant Shipping Acts -	1 50
41. For attesting the execution of a bill of sale of a ship, or shares in a ship - - - - -	1 50
42. For any document required from Consul by foreign authorities as a preliminary to the engagement of a British seaman in a foreign vessel, including official seal and signature - - - - -	0 50
43. For inspecting ship's papers when their production is required to enable a Consular officer to per- form any specific service on the ship's behalf -	0 75
N.B.—This fee not to be charged when Fee No. 17 is leviable.	
44. For granting any certificate not otherwise provided for, if not exceeding 100 words - - -	1 50
45. If exceeding 100 words, for every additional 100 or fraction thereof - - - - -	1 50

APPENDIX S.—(continued).

	Dol. c.
46. For noting a bill of exchange - - -	2 00
47. For protest of a bill of exchange and copy -	6 00
48. For administering an oath, or receiving a declaration or affirmation, without attestation of signature -	0 75
49. For administering an oath, or receiving a declaration or affirmation with attestation of signature -	1 50
50. For each Consular signature attached to an exhibit referred to in an affidavit or declaration -	0 75
51. For each alteration or interlineation initialled by the Consul in any document not prepared by him	0 25
52. For each signature to a transfer of shares or stock attested by the Consul - - -	0 75
53. For each signature to a transfer of shares or stock attested by the Consul when executed in the presence of one or more witnesses besides the Consul - - -	1 50
54. For each execution of a power of attorney attested by the Consul (<i>see</i> No. 101) - - -	2 00
N.B.—When more than four people execute a power at the same time, a fee of 8 dollars only is to be charged.	
55. For attesting the execution of a will of any person not being a British seaman (<i>see</i> No. 99) -	3 00
56. For each execution of a deed, bond, or conveyance under seal attested by the Consul - -	2 00
N.B.—When more than four persons execute an instrument at the same time, a fee of 8 dollars only is to be charged.	
57. For each signature to an application for a patent attested by the Consul - - -	1 50
58. For attaching Consular signature, and seal if required, to quarterly or monthly declarations for Government pay, half-pay, or pension - -	0 50
59. For attaching Consular signature to all other declarations of existence - - -	0 75
60. Ditto, if drawn up by Consul - - -	1 50
61. For certificate of a person's identity - -	3 00

APPENDIX S.—(continued).

	Dol. c.
62. For attesting the signature of a foreign authority -	1 50
63. For each signature attested by the Consul in any document not otherwise provided for - -	1 50
N.B.—No fee is to be charged for attesting a signature to any document required for the deposit or withdrawal of money in or from the Post Office Savings Bank.	
64. For receiving and giving a receipt for any document, packet, or article deposited in the Consulate under the conditions of Fee No. 107 -	1 50
65. For registration of a birth or death (except the death of a seaman) - - - -	0 75
66. For any registration not otherwise provided for -	1 00
N.B.—No fee is to be charged for the registration of a British subject at a Consular office, where such registration is not compulsory under Order in Council.	
67. For issue of certificate of British registration, when such registration is not compulsory under Order in Council - - - -	1 00
68. For each search in the register books of births, marriages, or deaths kept at the Consulate -	0 75
69. For furnishing a certified copy of an entry in register books of births, marriages, or deaths (see No. 68) - - - -	0 75
70. For certifying to a copy of any document or part of a document, if not exceeding 100 words -	1 50
71. If exceeding 100 words, for every additional 100 words, or fraction thereof - - -	1 50
N.B.—An additional fee is to be charged when the copy is made by the Consul (see No 96).	
72. Passport - - - - -	1 50
73. Visa of a passport - - - -	0 75
74. For issue of certificate of nationality - -	1 00
75. Consular request to local authorities for a passport pass, or visa - - - -	0 75
75A. For transit pass - - - -	4 50

APPENDIX S.—(continued).

	Dol. c.
76. Opening the will of a British subject, not being a seaman, including Consular signature to the minute of proceedings - - - -	6 00
77. For the administration and distribution, or for either administration or distribution, of the property, situate in the country of the Consul's residence, of a British subject, not being a seaman, dying intestate, or if not intestate, when undertaken in the absence of legally competent representatives of the deceased—2½ per cent. on gross value.	
78. For uniting documents and attaching Consular seal to the fastening - - - -	0 75
79. For directing search for, or obtaining, from public Record Office or elsewhere extracts from local registers, or copies of wills, deeds, or other matters, in addition to expenses incurred and any fees for attestation - - -	1 50
80. For affixing Consular signature, and seal if required, to any document not otherwise provided for by this Table - - - -	1 50
N.B.—No charge is to be made for an order or letter sending a seaman to hospital.	
81. For each Consular seal affixed to a document, packet, or article, when no signature is required	0 75
81b. For new title-deeds of land, including registration	10 00
81c. For notifying to authorities loss of owner's copy of title-deed, and requesting issue of copy to replace it - - - -	5 00
81d. For transfer of land - - - -	5 00
81e. For cancelment of title-deeds - - - -	5 00
81f. For registration of title-deeds issued by local authorities - - - -	5 00
81g. For registration or discharge of mortgage -	5 00
81h. For registration of foreclosure of mortgage -	10 00
81i. For any entry, not otherwise provided for, made in land register at the request of the parties interested - - - -	1 50
81k. For reference to land, mortgage, or other registers (except those under Nos. 8 and 68) - -	1 50

APPENDIX S.—(continued).

PART III.

Fees to be taken for certain Attendances, in addition to any other Fee chargeable under the present Table, and to travelling and other Expenses (see Notes 3 and 4).

ATTENDANCE IN RESPECT OF WHICH THE FEE IS TO BE TAKEN.

	Dol. c.
82. At a shipwreck, or for the purpose of assisting a ship in distress, per day - - -	12 00
83. At a shipwreck, at request of parties interested, to assist or advise as to salvage, per day - -	18 00
84. At request of parties interested, or of local authorities, at the affixing or removing of seals on property of deceased persons, if absent less than two hours - - - -	6 00
85. Ditto, ditto, for each additional hour, or fraction thereof, 3 dollars, with a maximum per day of -	24 00
86. At request of parties interested, or of local authorities, at a valuation, if absent less than two hours - - - -	6 00
87. Ditto, ditto, for each additional hour, or fraction thereof, 3 dollars, with a maximum per day of -	24 00
88. At request of parties interested, or of local authorities at a sale, if absent less than two hours - -	12 00
89. Ditto, ditto, for each additional hour, or fraction thereof, 3 dollars, with a maximum per day of -	24 00
90. At request of parties interested, or of local authorities, for the transaction elsewhere than at the Consular Office of any of the duties for which a fee is provided in the Table of Consular Fees, for each hour, or fraction thereof, 3 dollars, with a maximum per day of - - - -	24 00

APPENDIX S.—(continued).

	Dol.	c.
91. At request of parties interested for the transaction of any of the duties for which a fee is provided in the Table of Consular Fees, whether at the Consular Office, or at the Consul's residence, before or after the customary business hours of the place, for each half hour or fraction thereof -	1	50
91L. At request of parties interested, or of local authorities, at a measurement of land, for each hour, or fraction thereof, 3 dollars, with a minimum of -	6	00

PART IV.

Fees to be taken in respect of certain other Services which may be rendered by the Consul, at his discretion, at the request of Parties interested.

SERVICE IN RESPECT OF WHICH THE FEE IS TO BE TAKEN.

	Dol.	c.
92. For preparing average, bottomry, or arbitration bond (<i>see</i> No. 29) - - - -	6	00
93. For drawing a declaration or other document, or the body of a protest, or for taking down in writing verbal declarations or depositions of persons made before the Consul, or for reducing into writing agreements made before him by contracting parties, exclusive of fees for attestation, &c. (<i>see</i> Part II), if not exceeding 100 words -	1	50
94. If exceeding that number, for each subsequent 100 words, or fraction thereof - - -	0	75

APPENDIX S.—(continued).

	Dol. c.
95. For assisting in drawing up petitions, applications, or other documents not specified, each - -	1 50
96. For making a copy of a document, if not exceeding 100 words, exclusive of fee for certificate (<i>see</i> Part II., No. 70) - - - -	0 75
97. If exceeding that number, for every subsequent 100 words, or fraction thereof - - - -	0 75
N.B.—If the copy is in any foreign language double the above fees are to be charged.	
98. For making or verifying a translation of a document, for every 100 words, or fraction thereof, exclusive of fee for certificate (<i>see</i> Part II., No. 44) - - - -	1 50
99. For drawing a will, if not exceeding 200 words (<i>see</i> Nos. 14 and 55) - - - -	6 00
100. If exceeding that number, for every subsequent 100 words, or fraction thereof - - - -	1 50
101. For drawing a power of attorney (<i>see</i> No. 54) -	3 00
102. In cases where one or more attesting witnesses, besides the Consul, are required, for each witness supplied by him at the request of the parties interested - - - -	0 75

N.B.—As to the following fees (103 to 109) the discretionary services for which they are chargeable are not to be undertaken except at the sole risk and responsibility of the parties requesting the same, and (except as regards fees 103 and 109) on condition of such parties signing the proper declaration in the form (A, B, or C, as the case may be) hereto annexed.

103. On sums advanced by a Consul at the request, and on behalf, of private persons, a commission of 5 per cent.

APPENDIX S.—(continued).

Dol. c.

104. Attendance out of Consular office, at the request, and on behalf, of private persons, for the transaction of business which a Consul is permitted, but is not bound, to undertake under the Consular Regulations, for each hour, or fraction thereof, 3 dollars, with a maximum per day of (*see* Notes 3 and 4 and Form A) - - 24 00
105. On sums remitted, or paid, to a Consul by private persons to be expended, or handed over, in accordance with their instructions, a commission of (*see* Form B) - - - - 5 per cent.

N.B.—Fee No. 105 is not to be charged on sums received for charitable purposes or for the pecuniary relief or repatriation of British subjects in difficulty or distress.

106. On sums recovered by a Consul at the request, and on behalf, of private persons, a commission of 5 per cent.
107. On deposits of money or valuables, a commission of 5 per cent.

N.B.—The deposit not to be accepted until the Consul holds an acknowledgment in the Form (C) hereto annexed, duly signed by or on behalf of the depositor. The Consul shall give a deposit receipt therefor in the Form (D) hereunto annexed.

In the case of valuables the fee is to be calculated upon an estimate of their value, which must be given by the depositor when making the deposit.

108. For the administration and distribution of the property, situate in the country of the Consul's residence, of a deceased British subject, not being a seaman, when undertaken in cases of difficulty, and upon the written request of the legally competent representatives of such deceased person, who shall at the same time declare in writing (in the Form (B) hereto annexed) that they are aware of the fee chargeable for such service, and agree to pay the same - $2\frac{1}{2}$ per cent. on gross value.

APPENDIX S.—(continued).

Dol. c.

109. In the case of the Consul's acting as arbitrator, provided the parties interested declare in writing in the reference to arbitration that they are aware of the nature and rate of the fee chargeable for such service, and agree to pay the same, a commission on the value of the property or amount in dispute or $2\frac{1}{2}$ per cent., with a minimum of - - - - - 12 00

N.B.—The value of the property or amount in dispute must be ascertained and agreed by the parties to the arbitration, and stated in the reference to arbitration.

NOTES.

1. If the Consul should be named Commissioner to examine witnesses under a Commission issued by a British Court of Justice he is allowed to act as such, charging and retaining the customary fees for so doing.

2. No fee is to be charged for drafting or receiving depositions, &c., taken *ex officio* under the Merchant Shipping Acts, except in cases specially provided for.

3. In cases of attendances (Parts III. and IV.), the fee per day is to cover a period not exceeding twelve hours.

4. In cases of attendances (Parts III. and IV.), if the Consul finds it necessary to be accompanied by a clerk, the fee will be increased by one-half, or if a clerk only is sent, half the fees are to be charged.

FORM (A).

This is to certify that in consideration of _____ having undertaken, at my request and on my behalf, to transact certain business which a Consul is permitted, but is not bound, to undertake under the Consular Regulations, I have agreed to pay him,

APPENDIX S.—(continued).

on behalf of Her Majesty's Government, therefor the fee in such case provided by the China, Japan, and Corea (Consular Fees) Order in Council, 1887, section 104 of Table (viz., for each hour, or fraction thereof, of attendance, 3 dollars, with a maximum per day of 24 dollars), in addition to any other fee properly chargeable under that Order in Council, and to travelling and other expenses.

Dated at _____, the _____ day of _____, 18__.

FORM (B).

In consideration of Her Majesty's Consul at _____ having consented to transact business on my account, for which Fee No. _____ is provided in Part IV. of the China, Japan, and Corea (Consular Fees) Order in Council, 1887, I hereby undertake to pay the fee as therein specified, together with all reasonable expenses incurred by him, and I declare that no liability whatever shall attach to Her Majesty's Government for the acts of the said Consular Officer in respect of the said transaction.

Dated at _____, the _____ day of _____, 18__.

FORM (C).

I hereby request that [the sum of _____] [a packet (or packets, specifying number, &c.), purporting to contain _____ of the value of _____], may be accepted for deposit in the British [Vice] Consulate [General] at _____ for a period not exceeding _____; and I agree that this deposit shall not be delivered up, except on the production of the Consular Officer's receipt duly signed by _____, and that neither Her Majesty's Government nor the British Consular Officer or Officers give any guarantee for its safe custody, nor incur any liability in case of its loss, damage, or destruction by fire, theft, or otherwise.

Dated at _____ the _____ day of _____, 18__.

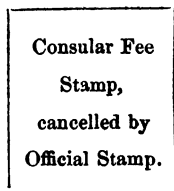
'APPENDIX S.—(continued).

FORM (D).

This is to certify that _____ has this day delivered to me [the sum of _____] [a packet (or packets, specifying number, &c.), purporting to contain _____ valued at _____], to be deposited for a period not exceeding _____ in this Consulate, to be returned on the production of this receipt, and that he [or she] has paid me, on behalf of Her Majesty's Government, the sum of _____, being 5 per cent. on the value of such deposit; and has also, under section 64 of the Table annexed to the China, Japan, and Corea (Consular Fees) Order in Council, 1887, paid me the further sum of 1 dol. 50 c. for this receipt, for which amounts fee stamps are hereto affixed.

The deposit is accepted on the distinct condition that neither Her Majesty's Government nor the British Consular Officer or Officers give any guarantee for its safe custody, nor incur any liability in case of its loss, damage, or destruction by fire, theft, or otherwise.

British [Vice] Consulate [General], _____ this _____ day of _____ 18__.



_____ *Consul.*

APPENDIX T.

See paragraph 224.

FORM of SECURITY for SALVAGE by PERSONS residing in FOREIGN PORTS.

Whereas a Salvage Bond, made under the Merchant Shipping Act, 1854, has been executed in the following terms [*here copy Salvage Bond*]; and whereas the owners of the said Ship and Cargo reside at _____, out of Her Majesty's dominions; and whereas the said ship and cargo cannot be released by virtue of the provisions contained in the said Act without additional security, approved by H.B.M.'s Consul for the port of _____; and whereas the said Consul has approved the security herein-after given, as is testified by his endorsement hereon: we, the said *A.B.* and *C.D.* hereby, for ourselves, our respective executors, administrators, and assigns, agree with the said _____, his executors, administrators, and assigns, that in consideration of the said Ship and Cargo being released by the said _____, we, the said _____, do hereby guarantee payment of the sum for which the within written Bond is given in manner therein mentioned: in witness whereof, we have hereunto set out hands and seals, this _____ day of _____ 18__.

(L.S.) (Signed) _____
of _____

(L.S.) (Signed) _____
of _____

Attestation of Consul.

I hereby attest, That I have approved the above security, and that it has been executed by the above-named *A.B.* and *C.D.* in my presence, this _____ day of _____ 18__.

(Signed) _____

H.B.M. Consul.

APPENDIX U.

See paragraph 229.

CLASSIFICATION OF WRECKS and CASUALTIES for the purposes of the WRECK REGISTER.

"*At Home*" embraces the cases which happen (1) in waters within 10 miles from the shores of the United Kingdom; (2) in waters within any bays or estuaries; (3) in waters around any outlying sandbanks which are dry at low water; (4) in the seas between Great Britain and Ireland; and (5) between the Orkney and Shetland and Western Islands and the mainland of Scotland.

"*Abroad*" embraces the cases which happen beyond those limits.

(a.) COLLISIONS.		(b.) FOUNDERINGS.			(c.) STRANDINGS.		(d.) MISCELLANEOUS.	
1. At Home.	2. Abroad.	3. After leaving a Port in U.K.	4. After leaving a Colonial Port.	5. After leaving a Foreign Port.	6. At Home.	7. Abroad.	8. At Home.	9. Abroad.
Collisions of all kinds between ships.		Foundering (other than those which result from collision, stranding, or striking on any sunken wreck or anchor,) even though the vessel be subsequently raised again. Vessels which sink after capsizing. Vessels abandoned by their crews on the point of foundering, if not subsequently heard of.			Strandings, whether through stress of weather or accident, or to avoid collision or foundering. Striking against piers, quays, or perpendicular cliffs. Abandoned vessels driven on shore.		Fire, irrespective of result. Scuttling and intentional damage to vessels. Collisions with icebergs. Striking on sunken wreck, anchors, or buoys. Leakage (except when the vessel founders or is run ashore for safety). Loss of masts, sails, boats, bulwarks, &c. Loss of anchors and chains. Vessels which have capsized, but have not sunk. Damage to machinery. Fouling of anchors. Shifting of cargo. Derelict vessels brought into port. Vessels not heard of after sailing.	

APPENDIX W.

See paragraph 264.

C. 20, annex A.

No. _____.

VOUCHER for SUBSISTENCE.

_____ 188 ____.

H.B.M. Consul.

Dr. to _____

For boarding _____ ex ship _____ from
 _____ 188__ to _____ 188__ inclusive
 days _____ per day.

Received payment this _____ day of _____ 188 ____.

Witness* _____

C. 20, annex B.

No. _____.

VOUCHER for HOSPITAL EXPENSES.

_____ 188 ____.

H.B.M. Consul.

Dr. to the _____ Hospital.

For Hospital Fees on account of _____ ex ship _____
 Admitted _____ suffering from _____
 Discharged _____ being _____ days @ _____ per day

Received payment this _____ day of _____ 188 ____.

(Signature) _____.

(Title) _____.

*N.B.—When the payee signs by a mark × such mark must be made in the presence of a disinterested person, who must also sign as a witness.

APPENDIX X.

DESCRIPTION OF FORMS directed in Paragraph 262 to be used
in connexion with ACCOUNTS with the BOARD OF TRADE.

No.	TITLE OR DESCRIPTION.	Para- graphs in which referred to in Text.
C. 12.	Account of wages and effects of a seaman left behind at a Foreign port on the ground of inability to proceed on the voyage from sickness or other causes - -	{ 94, 100, 102, 103, 105, 262
C. 12a.	Do. do. do. -	262
C. 13.	Account of wages received and expenses paid by Consul for a seaman who has recovered, showing the balance (if any) paid to him on his leaving the port or getting employment - -	{ 103, 105, 262
C. 14.	Account of receipts and disbursements for a seaman who has died while under Consul's charge - -	262
C. 15.	Account of wages and effects of a deceased seaman to be delivered by the Master of the ship to the Consul at a Foreign port when the ship is not returning direct to the United Kingdom - -	{ 160, 165, 166, 262, 270
C. 16.	Consul's Order for conveyance of distressed British seamen, with Declaration and Certificate of their landing - -	{ 105, 133, 136, 137, 143, 146, 148, 262
C. 16a.	Advice of sending a seaman to another port abroad -	104, 262
C. 17.	Document to be sent to a Superintendent of a Mercantile Marine Office when a deceased seaman's effects are sent by Consul to United Kingdom - -	164, 262
C. 18.	Account of expenses incurred by Consul for which Owners are liable - -	{ 95, 117, 153, 262
C. 20.	Subsistence List (17 & 18 Vict. c. 104. s. 211) -	{ 104, 121, 127, 147, 151, 152, 262, 264
C. 24.	Account of postages paid by Consul on business connected with Board of Trade - -	262, 267
C. 25.	Account of proceeds of sale of effects, and of money in possession of seamen who have died while under Consul's charge - -	168, 262
C. 26.	Form of account current - -	{ 103, 260, 262
C. 27.	Form of bill on Board of Trade - -	262, 268
C. 33.	Statement of sums received on account of wages and effects of deceased seamen for whom no expenses have been incurred by the Consul, as per Form 15 -	163, 262
C. 34.	Statement of Casualty Returns transmitted to the Board of Trade - -	262

APPENDIX Y.

DESCRIPTION of other PRINTED FORMS referred to in these INSTRUCTIONS.

Letter or No.	TITLE OR DESCRIPTION.	Paragraphs in which referred to in Text.
C. 11.	Certificate of Discharge - - - -	90, 91
C. 19a.	List of seamen engaged, discharged, left behind, reported dead, or deserted, or who, not having been discharged before the Consul, have applied for relief as distressed British seamen - - - -	44, 69, 107, 109, 238, 246, 248, 249
C. 32.	Receipt for Consular Fees - - - -	257
C. 35.	Form of Report by Masters &c. of services rendered to British ships - - - -	128
Dis. 1.	Certificate of Discharge and Character (bound up in books) - - - -	90 to 93
Dis. 2.	Receipt for Ship's papers (bound up in books) - -	107, 108
Wr. 1.	Form of Return of Wrecks and Casualties - -	218, 227 to 236
See Appendix D.	Provisional Certificate of Registry - - -	23
See Appendix F.	Form of Register Book of British Ships - -	43
Eng. 1.	Agreement and account of crew (in four sizes, to provide for crews of 20, 40, 80, and 120 men respectively) - - - -	36, 50, 52, 54, 55, 56 to 74, 76, 83, 87, 92, 94, 101, 107, 108, 109, 132, 133, 138, 155, 160, 163, 164, 175, 210, 245
Eng. 8.	Form for reporting extract from Official Log Book of particulars of births which have occurred on board - - - -	157
Eng. 9.	Form for reporting extract from Official Log Book of deaths which have occurred, other than those of the crew - - - -	157
Eng. 10.	Form for reporting extract from Official Log Book of deaths of members of the crew - - - -	157
V.	Authority for Allotment Notes - - -	71
L.	Allotment Notes (bound up in books) - - -	71
U.	Copy of Agreement to be made accessible to the crew - - -	69
R. V. 2.	Naval Volunteer Certificate - - - -	237, 239, 240, 241, 243, 244, 246, 247, and 249

APPENDIX Y.—(continued).

Letter or No.	TITLE OR DESCRIPTION.	Paragraph in which referred to in Text.
F. M. O. Schedule No. 1.	Particulars of Seamen's Money Orders issued by	{ 98, 271
	Consul - - - - -	
		{ to 285
		{ 89, 40,
	Official Log Book - - - - -	{ 73, 74,
		{ 92, 101,
		{ 107, 108,
	Note of Protest - - - - -	{ 155, 157,
	Order for Survey - - - - -	{ 169, 160,
	Extension of Protest - - - - -	{ 175
	Bill of Health - - - - -	{ 254

INDEX.

A.

	Paras.
Abroad, effect of stipulations that crew be discharged	66
Accounts :	
deposit for sending home men injured in service of ship	95
of wages	100, 108
how to charge allowances for wreck returns and travelling expenses	233
general regulations relating to, with Board of Trade	260-270
Admiralty to be informed of new lights, &c. or alterations in	290
Advances of wages	70
" during the voyage	67
Africa, West Coast of. Special instructions relating to engagement, &c. of seamen on	110
Agreements : (<i>See also</i> "Indorsements to be made by Consul.")	
to be delivered to Consul	36
must be signed before Consul	50
alteration, &c. in	52, 72
entered into within home trade limits to be on form for foreign articles	54
cannot be extended	55
opened at a foreign port, rules relating to	56, 74
Consul can only object to stipulations which are contrary to law	64
result of vaguely worded	66b
copy of, to be made accessible to the crew	69
when terminated to be sent home	107
and receipt to be given	108
special, on West Coast of South America	110
distressed seamen to be placed on, where men are wanted coming into Consul's hands from shipwrecked vessels to be sent to Board of Trade	132
Agreement for salvage	207
Allotment notes	71
Allowances, subsistence and conveyance	127
Allowance for casualty returns	232
" casualty returns and expenses, how to be charged	233
Apprentices, engagement of	68
Arrest of British ships-	288
Ashore in infected ports, danger to crews allowed to go	156b
Asiatics fraudulently representing themselves to be distressed seamen	150

B.

Balances due to seamen	135
Bedding, when it may be supplied to sick seamen	121
Berths, proper, to be provided for distressed seamen in ship in which sent home	142

	Paras.
Bill, wages of distressed seamen paid by	- 136
Bill of health, Form of	- 254
Births and deaths, registration of	- 157
Bond in respect to salvage	- 207, 222-225
British possession, injury in service of men shipped in a	- 95
" sending of distressed seamen to a	- 141
Buoys or beacons, any alterations relating to, to be notified to Admi- ralty and Board of Trade	- 290
Burial, exorbitant charges for, to be disallowed	- 161

C.

Casualty reports	- 227-235
annual Parliamentary Return	- 227
returns on Form Wr. 1	- 228
subdivision of form	- 229
return to be complete	- 230
not to be furnished to the public	- 231
allowance for	- 232 258
travelling expenses not allowed except in special circumstances	- 232
how to be charged	- 233
how to be paid to Vice-Consuls, &c.	- 234
keep Vice-Consuls well supplied with forms	- 235
Consul cannot enforce engagement of officers with	- 61
to be returned to holders on their discharge	- 90
No. of, to be given if owner is reported for any cause	- 293
Certificates : Naval Volunteers' :	
particulars to be entered in	- 237, 240, 246
particulars by a superintendent of a mercantile marine office	- 237, 243
how to be dealt with if volunteer has died or deserted	- 247, 249
Certificates of registry :	
not an evidence of title	- 10
change of master to be indorsed upon	- 11
to be returned to registrar on loss, &c. of ship	- 12, 216
not to be granted if vessel is unseaworthy	- 13
improper use of	- 14
Certificates of sale and mortgage of British ships in foreign ports	- 25-33
Certificates colonial. (See Colonial certificates of competency.)	
Certificates of discharge to be given	- 90-93
Certificates of character	- 91, 92
Certificates, medical, to be required in certain cases	- 85
Certificates of British ownership on West Coast of Africa	- 17
Character, certificates of	- 91, 92
Cholera, regulations relating to	- 156
Clothing supplied to distressed seamen	- 120
Collision between a British and foreign vessel to be reported	- 229
Collision, Consul to report at once neglect of one vessel to render assist- ance to the other in case of	- 236
Colonial vessels, misconduct of masters of	- 176, 177
Colonial certificates of competency	- 45
" power to detain	- 46
" death of holder to be reported	- 46
" suspension and cancellation of	- 47, 48
Complaint, seamen to be permitted to make	- 38
" seamen be permitted to make, regarding provisions and water	- 39
Concealment of national character of a ship	- 20
Consular officer, definition of	- 2

	Paras.
"Continent of Europe" - - - - -	66a
Contract, breaches of, not to be referred to foreign courts of justice -	182
Conveyance and subsistence allowances of distressed seamen -	127
Conveyance Order - - - - -	133
Convey, refusal to, distressed seamen - - - - -	143
Correspondence with Board of Trade - - - - -	286
Crimes committed on the high seas and abroad - - - - -	185-200
" " within limits of foreign country subject to its laws -	186
" " steps to be taken by Consul - - - - -	187, &c.
Crimps on board British vessels - - - - -	110a
Currency, accounts to be kept in, of place - - - - -	260

D.

Deaths, registration of, occurring on board ship - - - - -	157
Death on board ship, inquiry into cause of - - - - -	158
Deaths at sea; treatment of wages and effects - - - - -	159, 160
Deaths through wreck, duties of Consul in respect of - - - - -	205
Death of colonial certificate holder to be reported to government of possession in which certificate was granted - - - - -	46
Declarations of ownership - - - - -	4
Deductions from wages - - - - -	101
" in case of deceased seamen - - - - -	160
Defaulters amongst naval volunteers to be reported - - - - -	252
Deposits under sec. 205 - - - - -	79
Deposit of ship's papers under sec. 279 - - - - -	36
" " on termination of agreement - - - - -	107, 108
Depositions relating to offenders sent home for trial - - - - -	190, 196-200
" " fraudulent jettison of cargo - - - - -	214
Desertion of seamen, steps to be taken in case of - - - - -	174, 175
" " to be recorded - - - - -	248
Detain effects of seamen, no power at law to - - - - -	162
Detention of British ships - - - - -	288
Discharge :	
of mortgage on British ship - - - - -	28
of crews abroad, liabilities of master in reference to - - - - -	66
" rules relating to - - - - -	75-106
of a seaman, seaman's consent necessary - - - - -	82
proposal to, to be referred to Consul - - - - -	81
Consul should refuse, at ports where few ships clear for United Kingdom - - - - -	86
see that master gives certificate of - - - - -	90
on account of scurvy, &c. - - - - -	94
of a seaman who is a naval volunteer - - - - -	240, 242, 244
warning to be given to volunteer on - - - - -	244
seaman to produce certificate of, from last ship on re-engagement -	51
usual certificate of, to be given to seamen who are naval volunteers -	242
Discipline - - - - -	173
Disease, epidemic, Consul to take steps to notify - - - - -	41
Disinfection of effects of seamen dying of infectious diseases - - - - -	156a
Distressed seamen :	
persons to be relieved, &c. (see also Relief of distressed seamen) -	111, &c.
not "distressed" while employed in looking after wreckage - - - - -	119
may be supplied with clothing, &c. - - - - -	120-122
rates and rewards for relief and rescue of - - - - -	127-129
seamen discharged under section 205 of Merchant Shipping Act, 54, not - - - - -	180
to be sent home as soon as possible - - - - -	131

	Paras.
Distressed seamen :	
manner of doing so - - - - -	132
not pay master for conveyance of - - - - -	134
liability for payment of expenses of. (See Liability, &c.)	
crews not to be treated as, if casualty does not amount to ship-	
wreck - - - - -	138
sent to a British possession - - - - -	141
to be provided with proper berths in ship in which sent home -	142
subject to same discipline as crew - - - - -	142
refusal to take home - - - - -	143
conveyance of, injured in service of ship - - - - -	145
disposal of foreign - - - - -	147
disposal of lunatic - - - - -	148, 149
fraudulent representation by Asiatics that they are - - - - -	150
belonging to Canada - - - - -	152
Documents to be delivered to Consul - - - - -	36
" of deceased seamen to be sent to Board of Trade - - - - -	165
Draught of water to be marked on ship - - - - -	6
Duties of Consuls - - - - -	34

E.

Effects :	
of seamen, no power to detain - - - - -	162
" to be sent home if practicable - - - - -	164
" may be sold if likely to deteriorate - - - - -	165
" dying of contagious diseases to be destroyed - - - - -	166
" dying of infectious diseases, disinfection of - - - - -	156a
of a deceased seaman left on shore to be claimed by Consul - - - - -	167
of deceased masters to be treated as those of other British subjects -	170
of certain foreign seamen who have died on board British vessels -	171
Employment to be found for discharged seamen - - - - -	76
" of seamen to be with sanction of Consul - - - - -	50
" of a distressed seaman who is a naval volunteer - - - - -	245
Engagement of foreign seamen - - - - -	53
Epidemic disease, notices of - - - - -	41
Erasures in agreements to be certified - - - - -	72
" Europe, Continent of " - - - - -	66a
Exchange ; rate of, payment of wages - - - - -	67
Extension of agreements illegal - - - - -	55

F.

False statements by seamen - - - - -	51
Fares to be paid for seamen discharged under section 205 - - - - -	79
Fees and expenses, on payment of, deliver up wreck to lawful claim-	
ants - - - - -	208
Fees :	
in respect of wrecks - - - - -	215
for casualty returns - - - - -	232
tables of consular - - - - -	254
master to judge whether documents referred to in second table of,	
are required - - - - -	255
Consul may warn masters of consequences of not procuring certain	
papers - - - - -	256
receipt for - - - - -	257
for depositions and casualty reports - - - - -	258
none to be charged except those authorised - - - - -	259

Fishing vessels which are exempted from being marked	-	-	Paras. 6
Flag :			
what determines right to use British	-	-	5
to be used by British ships	-	-	18
penalty for hoisting illegal	-	-	18
steps to be taken by Consul when illegal flag is carried	-	-	19
if foreign, is used, owner cannot urge to his advantage in a judicial proceeding that flag and character assumed do not properly belong to the ship	-	-	22
Forcing seamen on shore	-	-	80
Foreign seamen :			
engagement of	-	-	53
conveyance home of distressed	-	-	147
wages and effects of	-	-	171, 172
Foreign vessels :			
may be used for conveyance of distressed seamen in cases of emergency	-	-	144
British seamen serving in, subject to law of country to which vessel belongs	-	-	183
Foreign courts of justice :			
interference of	-	-	178
breaches of discipline or contract if possible not to be referred to	-	-	182
"Foreign Deserters Act, 1852," treaties, &c. under	-	-	174
Forfeiture of wages for making false complaint regarding provisions or water	-	-	39
Forms :			
to be strictly adhered to	-	-	2
keep Vice-Consuls, &c. supplied with wreck	-	-	235
of protest, survey, bill of health, &c.	-	-	254
to be used in connexion with accounts	-	-	262
further relating to	-	-	295
Form, Wr. 1	-	-	228, &c.
report on, if naval court has not been held, any misconduct of master, &c.	-	-	218
Form of agreement	-	-	60
Fresh provisions necessary to prevent scurvy	-	-	155

G.

Grain cargoes	-	-	253
General average	-	-	214
Goods wrecked, duties in respect to	-	-	209

H.

Home trade limits, engagement entered into within, to be on form for foreign articles	-	-	54
Hospital authorities, to be asked to inform Consul of British seamen admitted into hospital	-	-	123
" Consul to notify to, discharge of a seaman in hospital from his ship	-	-	124
Hurt or injury in service of the ship :			
of men shipped in a British Possession abroad	-	-	95
liability of owners and masters in cases of	-	-	117, 145
definition of	-	-	118

I.

	Paras.
Illness, discharge of seamen on account of - - -	94
Ill-treatment, application for discharge on ground of - - -	83
Imprisonment in foreign ports - - -	181
Inability, application for discharge on ground of - - -	84
„ if seaman discharged in consequence of, the master to give an account of wages - - -	100
Indorsements to be made by Consul on agreements :	
delivery and return of ship's papers - - -	36
time of ship entering port - - -	36
any neglect of the law - - -	36
must be correct - - -	37
engagement of a seaman - - -	50
alteration in an agreement - - -	52
on sanctioning discharge of a seaman - - -	87
to be in writing - - -	88
distressed seamen placed on board - - -	133
expenses to be repaid by owners, incurred in sending seamen home where casualty to vessel does not amount to shipwreck -	138
non-compliance with provisions of Act relating to antiscorbutics -	155
default in accounting for wages, &c. of deceased seamen -	160
wages and effects of deceased seamen received by him or otherwise - - -	163
wages and effects of deceased seamen on board vessel for conveyance home - - -	164
offenders sent home for trial and to witnesses - - -	190, 193
if seaman is a naval volunteer - - -	241
in case of desertion - - -	175
Infected ports, danger to crews being allowed to go ashore in -	156b
Inquiry, powers of Consul to hold - - -	40
Inquiry into cause of death on board ship - - -	158
Injury in service of ship to men shipped in a British possession -	95
Injury in service of ship, liability of owners and masters in cases of definition of - - -	117, 145
„ - - -	118
Interference of foreign courts of justice - - -	178-183
International agreements for relief of distressed seamen - - -	111

J.

Jettison of cargo, steps to be taken if apparently fraudulent - - -	214
---	-----

L.

Lascars, effects of deceased - - -	160
Lascars, relief of - - -	127, 151
Leave to naval volunteers - - -	243, 244, 245
Leaving seamen behind illegally - - -	80, 117
Liabilities of British owners through not registering their ships -	21
Liability of owners to repay expenses incurred in affording relief, &c. to seamen when injured in service of ship - - -	95, 117, 118, 145
„ when discharged under sec. 205 of Merchant Shipping Act - - -	75-79
„ when left behind without compliance with provisions of Act - - -	89, 117

Liability of seamen to pay such expenses	-	-	-	Paras.	139
" if cause of discharge is unfitness or inability not arising from hurt or injury in service of the ship	-	-	-	-	103
" exception where injured in service of ship	-	-	-	-	145
" if discharged by a naval or other legally constituted court	-	-	-	-	99
" to pay expenses not payable by owners	-	-	-	-	140
Lights, alterations in or new, to be notified to Admiralty and Board of Trade	-	-	-	-	290
Lime or lemon juice	-	-	-	-	155
Lloyd's agent, communicate with, when wreck comes into possession of Consul	-	-	-	-	208
Local regulations, Consul take steps to make known to masters	-	-	-	-	43
Lunatic seaman, conveyance home of	-	-	-	-	148
" arrival of, at Consul's port	-	-	-	-	149

M.

Marking of ships	-	-	-	-	-	6
" inaccurate	-	-	-	-	-	7
Master :						
change of, to be endorsed on certificate of registry	-	-	-	-	-	11
see that name of, is on ship's register on engagement of crew	-	-	-	-	-	61
Masters :						
relief of	-	-	-	-	-	153
effects of, not to be treated as seamen's, but as other British subject's	-	-	-	-	-	170
misconduct of	-	-	-	-	-	291
Medical assistance to distressed seamen	-	-	-	-	-	122
Medicines, &c.	-	-	-	-	-	154
Miscellaneous	-	-	-	-	-	287-293
Misconduct :						
of seamen	-	-	-	-	-	177
of masters	-	-	-	-	-	293
of masters of colonial vessels	-	-	-	-	-	176, 171
Missing vessels :						
report of	-	-	-	-	-	229
form on which to make report of	-	-	-	-	-	230
Money orders :						
sending home wages by	-	-	-	-	-	98
rules regarding the issue of	-	-	-	-	-	271-285
Mortgages and sales of ships in foreign ports	-	-	-	-	-	24, &c.

N.

Naval courts :						
instructions relating to	-	-	-	-	-	184
as to holding, in cases of suspicious deaths on board ships	-	-	-	-	-	153
" in grave cases of misconduct	-	-	-	-	-	173
" in cases of wreck	-	-	-	-	-	217
statement on Wr. 1, whether naval court has been held, and if not, why not	-	-	-	-	-	230

	Paras.
Naval court, application of wages of a seaman discharged by a Naval reserve. (See Reserve Force of Royal Naval Volunteers.)	- 99
Non-registration of ship, liabilities of British owners through -	21
Notices of new lights, &c., or alterations in, to be sent to Admiralty and Board of Trade	- 290
Numbers of ships and officers' certificates to be stated in making any report	- 293

O.

Offences :

committed on board ship in foreign ports or within limits of foreign country subject to local laws	- 179, 186
„ on board ship punishable by both local and British law	180
„ on high seas, or mere breaches of discipline or contract in a foreign port, to be judged by British law	- 182

Offenders :

steps to be taken to send home for trial	- 187-200
to be sent in aggravated cases only, or where undertaking is given for expenses	- 188, 189

Offenders :

conveyance of, &c. in a vessel bound direct to country where they are to be tried	- 192-194
conveyance order to be delivered by Consul to master	- 193

Officers, cannot enforce engagement of certificated

- 61

Official log book :

to be supplied to masters, and free of charge	- 73, 74
to be sent home when voyage has terminated abroad	- 107

Entries to be made in :

result of examination into complaint of bad water or provisions	89
serving out of antiscorbutics	- 155
cases of cholera	- 156
births and deaths	- 157
particulars of wages and effects of deceased seamen	- 159
cases of desertion	- 175

Official number, always specify, in mentioning a ship - 9

Ownership :

definition of British	- 8
declarations of	- 4

P.

Papers, ship's deposit of	- 36, 107, 108
Particulars to be inserted in agreements	- 58
Passage home to be given to discharged seamen	- 76
Passengers, when seamen are to be sent home as	- 130
Passengers and passengers ships	- 287
Passengers, ships whose business for the time being is to carry	- 37a
Passes for unregistered vessels	- 17
Payments to seamen to provide passage home to be discouraged	- 78
Payment of wages on discharge of seamen on account of illness	- 102

Penalties :

certificate of registry, improper use of	- 12, 14
hoisting an illegal flag	- 18
simulation or concealment of nationality of a ship	- 20
refusal to allow seamen to go ashore to make complaint to Consul	- 38

Penalties :	Paras.
supply of bad or deficient provisions or water to crew -	39
refusal to answer inquiry by Consul under sec. 13 of Act -	40
false statement by seaman as to his own name or that of last ship -	51
forcing ashore or leaving seamen behind -	80
not obtaining consular sanction for discharge of a seaman -	89
not providing Anti-scorbutics -	155
not complying with regulations under Order in Council relating to cholera -	156
failing to make returns relating to births and deaths -	157
making default in accounting for wages, &c. of deceased seamen -	160
refusing a passage to distressed seamen -	143
not providing them with proper accommodation -	142
refusing a passage, &c. to an offender sent home for trial and for not giving him in charge, on arrival, to the police -	194
Pensions of naval volunteers -	237
Period within which wages are to be paid -	97a
Pilot vessels exempt from registry provisions -	6
Piracies to be reported -	292
Port abroad, how to account for wages of seamen sent to a -	104
Postage -	267
Powers of inquiry by Consul -	40
Prison, wages of seamen left in -	101a
Prisoners sent home for trial. (See Offenders to be sent home for trial.)	
Protest, form of -	254
Provisional certificates of registry -	23
Provisions :	
bad, right of seamen to complain to Consul on account of fresh, necessary to prevent scurvy -	155
Purchase of ships by British subjects at a foreign port -	23

R.

Rate of exchange. Wages -	67
Rates to be paid for conveyance and relief of distressed British seamen -	127
" for conveyance of seamen discharged under sec. 205 -	79
" for conveyance of offenders and witnesses -	195
Read agreement to crew -	68
Receipt for consular fees -	257
Receipt for ship's papers -	108
Refusal by masters to convey distressed seamen -	143
Registration of births and deaths -	157
Register book of ships coming to Consul's port to be kept -	43
Registry, port of, always specify, in mentioning a ship -	9
" foreign ports of, always specify, in mentioning a ship -	15
" certificate of. (See Certificate of registry.)	
Registry of ships :	
system of -	5
particulars required before -	6
inaccurate marking to be reported -	7
certificate of, will be granted after registration -	8
certificates of, will be numbered -	9
character and purpose of certificate of -	10
certificate of, to be endorsed on change of master -	11
certificate how to be dealt with in case of loss, &c. of ship -	12
provisional certificate of, to be granted on conditions -	13
improper grant of certificate of -	14
may be affected at certain foreign ports -	15
index of -	16
Regulations, local, to be made known to masters -	42

	Paras.
Relief of distressed seamen :	
persons to be relieved	111
limit of time within which relief may be given	112
stowaways	113
persons refusing employment or to work passage home have no claim to relief	114
rate of relief	115
seamen falling sick on board not necessarily entitled to relief	116
seamen injured in service of ship or left behind illegally	117
definition of hurt or injury in the service of the ship	118
in cases of shipwreck when engaged in remaining by the wreck, &c.	119
clothing may be supplied	120
when bedding may be supplied	121
when medical assistance	122
Consul be informed by authorities of sick seamen in hospitals	123
Consul to inform hospital authorities when seamen in hospital are discharged from their ship	124
any unusual expense to be specially reported to Board of Trade	125
having in charge a seaman more than a month	126
lascars	151
Canadian seamen	152
masters	153
seamen applying for relief to be reported	247
commission on disbursements in respect of	253
Reports to be made by Consul :	
suspicious of false statements in a declaration of ownership	4
insufficient or inaccurate marking of a vessel	7
change of master	11
refusal to deliver up certificate of registry on loss of a ship	12
improper use of certificate of registry	14
use of illegal flags	19
false assumption or concealment of national character of ship	20
transgression of law by masters	36
failure by masters to deliver ship's papers	36
examination of provisions and water on complaint of crew	39
on Form 19a	44
relating to colonial certificates detained by Consul for some irregularity	46
death of colonial certificate holder	46
any case of a seaman being wrongfully forced on shore and left behind	80
seamen discharged from illness caused by insufficient food, &c. &c.	94
relief of British seamen whose last service was in a foreign vessel	111
doubtful cases as to liability of owners to pay for relief of seamen injured in service of ship	118
reasons for incurring extraordinary expenses on account of seamen	125
reasons for keeping them in charge more than one month	126
services rendered to British ships	128, 129
relief of crews of vessels which have met with casualty not amounting to shipwreck	138
refusal of masters to afford a passage to distressed seamen	143
of births and deaths on forms Eng. 8, 9, and 10	157
of inquiries into cause of death on board ship	158
default in accounting for wages and effects of deceased seamen	160
deaths of British seamen on board foreign vessels	171
non-compliance by masters of colonial vessels with provisions of Acts	177
if justice is improperly administered at a foreign port to a British seaman	179

	Paras
Reports to be made by Consul—cont.	
if prison and treatment is not proper or humane -	181
if foreign court refuses to recognise that offences committed on high seas and questions of contract are to be judged by British law -	182
if difficulty is thrown in his way, contrary to treaty, regarding wrecked property -	203
in cases of wreck where a naval court is not held -	218
of casualties -	227, &c.
movements of master in case of wreck, &c. where a form, Wr. 1, has not been obtained -	232
when assistance is not rendered by ships in collision -	236
naval volunteers who fail to serve when called on to do so -	252
grain cargoes -	253
complaints of passengers where Consul cannot assist them -	287
detention or arrest of ships by foreign authorities -	288
new lights, beacons, or buoys, &c., or alterations in them -	290
misconduct of masters -	291
piracies -	292
number of ships and officers' certificates to be mentioned when reported on -	293
Rescue of distressed British seamen at sea, sums to be paid for conveyance, &c. -	127
Reserve Force of Royal Naval Volunteers :	
regulations relating to -	237-252
called out for actual service -	250-252
in referring to a seamen belonging to, Consul should quote number of his certificate -	239
Retainer, naval volunteers -	237
Returns :	
casualties -	227, &c.
naval volunteers -	248
Revocation of certificates of sale and mortgage -	31
Rewards for rescue of distressed British seamen -	128, 129
Rocks, shoals, &c., discovery of, to be reported to Admiralty and Board of Trade -	290

S.

Sale of British ship by a master -	289
" " at a foreign port -	24, 25
Sale, bills of, to be in forms given in Schedule to Act -	32
Sale of effects of deceased seamen -	159
Salvage by Her Majesty's ships:	
general object of enactments -	219
salvors to take ship to port where there is a Consul -	220
salvor and master to furnish Consul with a statement -	221
Consul to fix amount of bond -	222
bond to be prepared and attested -	223
additional security required if ship is owned by a foreigner -	224
copy of bond and statements to be sent to Court of Admiralty -	225
Salvage of life, instructions relating to -	226
Scurvy:	
regulations for preventing -	155
discharge on account of -	94
Seizure of ship by Consul -	14
Seaman, definition of -	2
discharged abroad to be provided for -	75

	Paras
Seamen:	
sick, not necessarily entitled to relief	116
sending home	130-150
serving in foreign ships subject to law of country to which ship belongs	183
Sending seamen home:—	
discharged under sec. 205, not distressed	130
distressed seamen to be sent home as soon as possible	131
ships to be chosen for the purpose	132
indorsement on articles	133
how expenses are to be paid	134
balances due to seamen	135
where wages are paid by bill	136
how to be paid when cause of distress is shipwreck	137
when casualty does not amount to shipwreck, seamen not to be treated as distressed	138
when wages of seamen are chargeable with all expenses	139
when they are not so chargeable	140
if sent to a British possession	141
treatment of men on board	142
steps to be taken in case of refusal to take men	143
foreign ships may be used in cases of emergency	144
when injured in service of ship, owners liable for expenses	145
exception where owners are not liable for expenses of sending home	145
disposal of foreign seamen	147
lunatic seamen	148
arrival of lunatic seamen at Consul's port	149
fraudulent representation by Asiatics that they are distressed	
British seamen	150
Settlement of agreement	68
Ship, British:—	
conditions to entitle it to be British	3
how to establish right of ownership of	4
marking of	6
exception in case of fishing vessels	6
on loss, &c. of, notice to be given to registrar	12
unregistered, has liabilities, though not benefits, of British law	21
mortgage and sale of, in foreign ports	24
transfer of mortgage of	27
power of master to sell, &c.	289
Ship, foreign, purchase of	23
Ships to be chosen in which to send home distressed seamen	132
Ships whose business for the time being is to carry passengers	37a
Ships, unseaworthy	294
Shipwreck:	
seamen not to be relieved when remaining by ship for its preservation in cases of	119
payment of wages of seamen distressed by	137
where not amounting to	138
expenses of conveyance, &c. of seamen where casualty does not amount to	138
Simulation of national character of a ship	20, 22
Stipulations:	
to be inserted in agreements	53
may not object to insertion of, which are not contrary to law	64
Stowaways	113
Subsistence to be provided for discharged seamen	76
Subsistence and conveyance allowances	127
Survey, no statutory power to order	-13, 294
form of order for	254

T.

Telegrams	-	-	-	-	-	-	-	Paras.
Transfer of mortgage on British ship	-	-	-	-	-	-	-	267
Travelling expenses for obtaining information for casualty returns	-	-	-	-	-	-	-	27
	-	-	-	-	-	-	-	232

U.

Unseaworthy ships	-	-	-	-	-	-	-	294
-------------------	---	---	---	---	---	---	---	-----

V.

Vaguely worded agreements	-	-	-	-	-	-	-	66b
Vice-Consul :								
returns of casualties from, to be sent through Consul	-	-	-	-	-	-	-	234
fees for returns to be paid by Consul to	-	-	-	-	-	-	-	234
to be supplied by Consul with forms	-	-	-	-	-	-	-	235
receipts and disbursements by	-	-	-	-	-	-	-	266
Vouchers :								
if in a foreign language, translations to be sent	-	-	-	-	-	-	-	263
to be numbered progressively	-	-	-	-	-	-	-	264
if impossible to be procured what to be done	-	-	-	-	-	-	-	265
Voyage, difficulties arising from vague wording in agreements of limits of	-	-	-	-	-	-	-	65

W.

Wages :								
rate of exchange	-	-	-	-	-	-	-	67
advances of, made during the voyage	-	-	-	-	-	-	-	67
advances of	-	-	-	-	-	-	-	70
how to estimate	-	-	-	-	-	-	-	96
to what date due in case of wreck	-	-	-	-	-	-	-	96
payment of, on discharge	-	-	-	-	-	-	-	97
period within which are to be paid	-	-	-	-	-	-	-	97a
how to send home a portion	-	-	-	-	-	-	-	98
payment of, if by order of a court	-	-	-	-	-	-	-	99
" if discharged on account of unfitness or inability to proceed	-	-	-	-	-	-	-	100
deductions from	-	-	-	-	-	-	-	101
of seamen left in prison	-	-	-	-	-	-	-	101a
how balance is to be dealt with	-	-	-	-	-	-	-	102
money received as, how to be accounted for and paid	-	-	-	-	-	-	-	103
if sent to another port	-	-	-	-	-	-	-	104
if sent home under order	-	-	-	-	-	-	-	105
balance of, due to distressed seamen	-	-	-	-	-	-	-	135
" paid by bill	-	-	-	-	-	-	-	136
how to be paid when distress is caused by shipwreck	-	-	-	-	-	-	-	137, 138
when chargeable with all expenses	-	-	-	-	-	-	-	139
when chargeable with only certain expenses	-	-	-	-	-	-	-	140

	Paras.
Wages and effects of deceased seamen :	
master to account for - - - - -	159
to be delivered to Consul if vessel is not returning shortly to United Kingdom - - - - -	160
expenses attendant on illness or death - - - - -	161
no power to detain effects for advances - - - - -	162
receipt for, to be given - - - - -	163
how effects are to be sent home - - - - -	164
when effects may be sold - - - - -	165
effects of seamen who have died of infectious disease to be de- stroyed - - - - -	166
trinkets, &c. to be disinfected - - - - -	166
of seamen dying on shore at Consul's port - - - - -	167
account of sale, &c. in such case to be sent to Board of Trade - - - - -	168
seamen's wills - - - - -	169
effects of masters to be treated as those of other British subjects - - - - -	170
of foreign seamen - - - - -	171, 172
of deserters earned after desertion - - - - -	175a
Water, unwholesome, shipped in infected ports - - - - -	156b
West coast of Africa, special instructions relating to engagement, &c. of seamen on - - - - -	110
Wills of deceased seamen - - - - -	169
Witnesses to be sent in all cases where an offender is sent home for trial - - - - -	190, 195
Wrecks and casualties - - - - -	201-218
give assistance so far as possible - - - - -	202
" where authorised by treaty - - - - -	203
not interfere with master or agent unless reason to suspect foul play - - - - -	204
assist shipwrecked persons - - - - -	205
claims of salvors at the place to be determined according to law of place - - - - -	206
agreement for salvage service - - - - -	207
claim and keep goods washed on shore - - - - -	208
duties in this apply to any shipwrecked property brought to Consulate - - - - -	209
send to owners or Board of Trade any papers washed on shore - - - - -	210
send information of wreck, &c. to parties interested - - - - -	211
circumstances in which wrecked articles may be sold - - - - -	212
steps to be taken regarding goods which it is necessary to sell in country - - - - -	213
general average - - - - -	214
fees - - - - -	215
certificate of registry - - - - -	216
summoning a naval court - - - - -	217
report to Board of Trade - - - - -	218

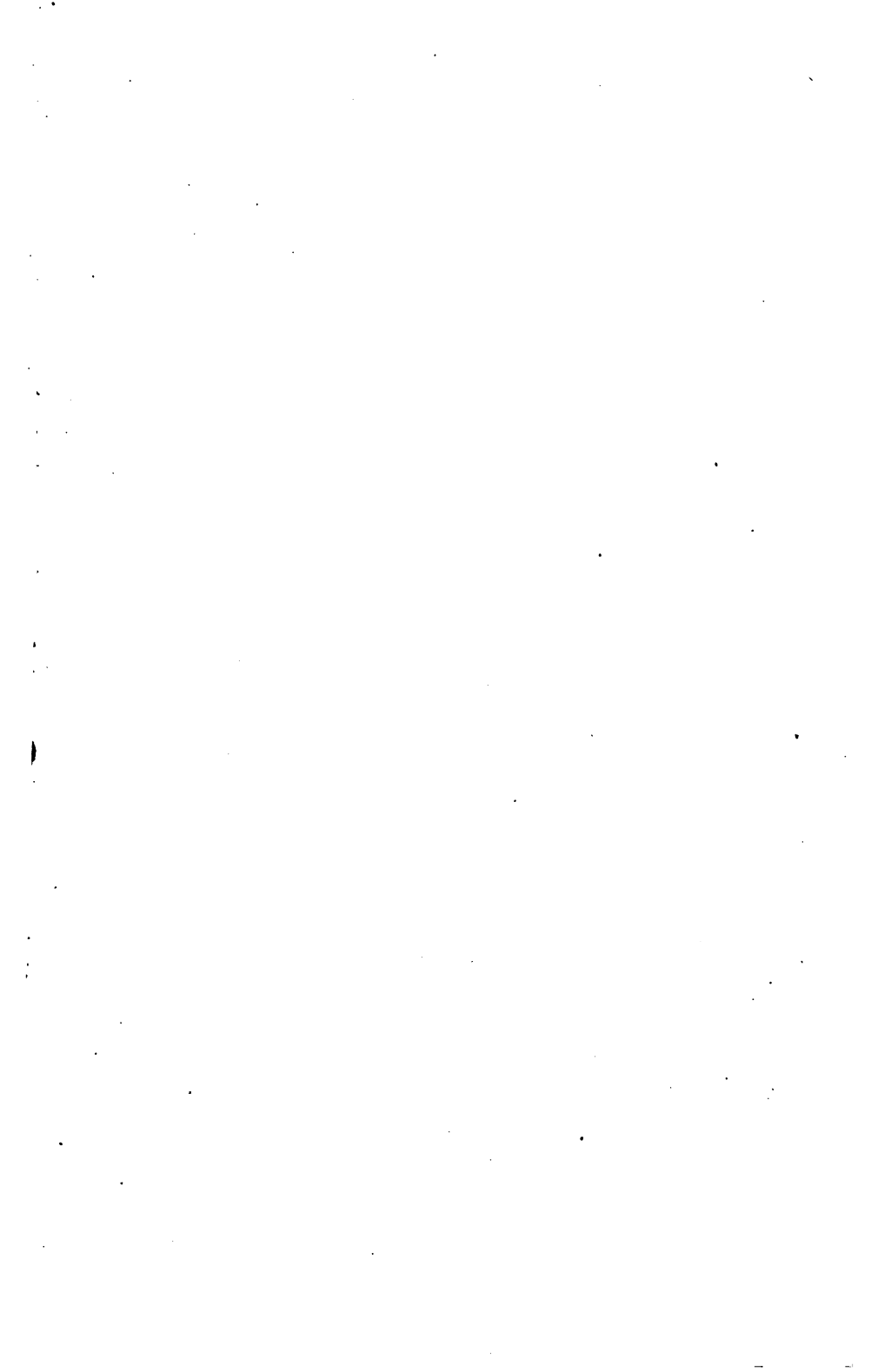
Y.

Yachts of certain clubs exempt from registry provisions - - - - -	6
exempt from various Consular fees - - - - -	254
need not deposit agreement - - - - -	36

**LONDON: Printed by EYRE and SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty.**

For Her Majesty's Stationery Office.

[19031.—1200.—3/88.]



UVA Law Library



3 5007 00688430 2

